

EXTENSIONS OF REMARKS

LEADERSHIP IN EDUCATIONAL
ADMINISTRATION DEVELOP-
MENT ACT

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. PETRI. Mr. Speaker, excellence in education has become a major concern here in Congress and throughout America. Today, I am introducing legislation that would address this concern by seeking to improve the leadership abilities of school principals and other administrative personnel.

Four years ago, the Education and Labor Committee, on which I serve, received testimony from Dr. Ronald Edmonds, senior assistant to the chancellor for instruction of the New York City Public Schools. Dr. Edmonds told of his research showing that the single most important key to good schools is, in his words, "the style of leadership of the principal." When the renewed interest about excellence in education cropped up last year, I remembered Dr. Edmonds' advice.

In the past 4 years, an accumulating body of research has proved the importance of principal leadership for education quality. Two recent articles are especially instructive in this respect: Judith Little's "The Effective Principal" in the August-September 1982 issue of *American Education*, and Michael Cohen's "Effective Schools: Accumulating Research Findings" in the January-February 1982 issue of the same magazine. Both authors cite extensive studies showing that good principals create good schools. The Blaney Institute, a public policy center in Wisconsin, recently concluded, "In order to upgrade the quality of leadership in public schools, society will have to change the way it trains its principals and superintendents." The time has come to implement this advice.

My new legislation would apply this advice by providing seed money to establish regional technical assistance centers to promote the development of the leadership skills of elementary and secondary school principals. One regional center would be created in each Federal region to serve the entire region. The center would be tied to a local university, and would draw on established expertise in both business administration and education.

The centers would become laboratories for training and research in effective school leadership. Seminars, in-

ternships, consultation, and a model administrative program would reach out to serve principals throughout the region—much like agricultural experiment stations reach out to serve the farmer. Efforts should focus on helping principals already at work and new principals entering the field. A wealth of information exists on good school leadership—drawn from business, government, and existing effective schools. That information should be made more readily available to all principals.

In addition to these regional centers, some money would be set aside for metropolitan training centers. These experimental metropolitan centers would be similar to the regional centers, but each would serve only an individual urban area. Hopefully, a few such metropolitan centers could serve as models for non-federally funded training centers in other urban areas.

All regional and metropolitan centers would be chosen on a competitive basis to insure that the best proposals are funded. The Federal funding provided by this legislation would be enough only to get these centers going on a 50/50 matching basis for 3 years. Once they prove their worth, public and private funding from the region served should be able to keep them going. In this way, initial seed money will yield a continuing harvest of better schools.

Everyone is talking about excellence in education. This legislation is one step toward achieving that excellence in a cost-effective manner. Mr. CHAFEE is introducing parallel legislation in the Senate. Good administrative leadership is a key to good schools. I invite all my colleagues to join Mr. GOODLING as cosponsors of this bill to improve school leadership. The full text of the bill follows:

H.R. 4775

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE; PURPOSE

SECTION 1. (a) This Act may be cited as the "Leadership in Educational Administration Development Act of 1984".

(b) It is the purpose of this Act to improve the level of student achievement in elementary and secondary schools through the enhancement of the leadership skills of school administrators by—

(1) establishing regional technical assistance centers to promote the development of the leadership skills of elementary and secondary school administrators; and

(2) establishing a program to assist local educational agencies in forming metropolitan training centers to promote such development.

(c) It is the intention of Congress that contractors seeking to establish technical assistance and training centers should design programs which upgrade the skills of elementary and secondary school administrators in—

(1) enhancing the schoolwide learning environment by assessing the school climate, setting clear goals for improvement, and devising strategies for completing manageable projects with measurable objectives;

(2) evaluating the school curriculum in order to assess its effectiveness in meeting academic goals;

(3) developing skills in instructional analysis to improve the quality of teaching through classroom observation and supervision;

(4) mastering and implementing objective techniques for evaluating teacher performance; and

(5) improving communication, problem-solving, student discipline, time-management, and budgetary skills.

AUTHORIZATION OF APPROPRIATIONS

SEC. 2. (a) There are authorized to be appropriated to carry out this Act such sums as may be necessary for fiscal year 1985 and each of the five succeeding fiscal years.

(b) Of the amount appropriated pursuant to subsection (a) for any fiscal year, the Secretary shall first make available such amount, not to exceed \$1,500,000 per region, as may be necessary for establishing and operating a regional technical assistance center in each Federal region under section 3 of this Act. The remainder of such appropriated amount shall be available for carrying out section 4 of this Act.

REGIONAL TECHNICAL ASSISTANCE CENTERS

SEC. 3. (a) The Secretary shall, subject to the availability of funds pursuant to section 2, enter into a contract with an institution of higher education (or consortium of such institutions) in each Federal region for the establishment and operation of a regional technical assistance center in accordance with the requirements of this section and section 5. The contractor may associate with a private management agency for performance of such contract.

(b) Each contract entered into under subsection (a) shall require the contractor—

(1) to make the services of the technical assistance center available to school administrators from any of the local educational agencies located within the Federal region served by that contractor;

(2) to collect information on school leadership skills;

(3) to assess the leadership skills of individual participants based on established effective leadership criteria;

(4) to conduct training programs on leadership skills for new school administrators and to conduct training seminars on leadership skills for practicing school administrators, with particular emphasis on women and minority administrators;

(5) to operate consulting programs to provide within school districts advice and guidance on leadership skills;

(6) to maintain training curricula and materials on leadership skills drawing on ex-

pertise in business, academia, civilian and military governmental agencies, and existing effective schools;

(7) to conduct programs which—

(A) make available executives from business, scholars from various institutions of higher education, and practicing school administrators; and

(B) offer internships in business, industry, and effective school districts to school administrators,

for the purpose of promoting improved leadership skills of such administrators;

(8) to disseminate information on leadership skills associated with effective schools; and

(9) to establish model administrator projects.

(c) In making a selection among applicants for any contract under this section, the Secretary shall take into account whether the applicant, if selected, would be able to operate its programs in a manner which would—

(1) emphasize development of leadership skills identified by graduate schools of management and graduate schools of education; and

(2) assure the provision of assistance to school administrators from local educational agencies in which the number of pupils in the average daily attendance is less than 2,500.

METROPOLITAN TRAINING CENTERS

SEC. 4. (a)(1) The Secretary shall, subject to the availability of funds pursuant to section 2, enter into contracts with local educational agencies, intermediate school districts, State educational agencies, institutions of higher education, private management organizations, or non-profit organizations (or consortium of such entities) for the establishment and operation of training centers in eligible local educational agencies in accordance with the requirements of this section and section 5.

(2) For purposes of paragraph (1), the term "eligible local educational agency" means any local educational agency all or any part of which is located within a standard metropolitan statistical area with a population of 250,000 or more.

(b) Each contract entered into under subsection (a) shall require the contractor—

(1) to make the services of the training center available on an equitable basis, taking into account the contribution of the various local educational agencies to the cost of the center, to school administrators from each of the local educational agencies located, in part or in whole, within the standard metropolitan statistical area served by that contractor;

(2) to perform the same functions as are required of contractors pursuant to paragraphs (2) through (8) of section 3(b); and

(3) to take such actions as may be necessary to coordinate the contractor's operations with the regional technical assistance center for that contractor's Federal region for the purpose of sharing resources and avoiding duplication of services.

(c) In making a selection among applicants for any contract under this section, the Secretary shall—

(1) accept only the applications which demonstrate the existence of a prior agreement, among local educational agencies with more than one-half of the pupils in average daily attendance within the standard metropolitan statistical area to be served by the training center, to utilize the center;

(2) take into account whether the applicant, if selected, would be able to operate its programs in a manner which would—

(A) emphasize the provision of assistance to school administrators from local educational agencies in which the number of pupils in average daily attendance is more than 2,500; and

(B) give preference, in the provision of such assistance, to consortia of local educational agencies.

GENERAL CRITERIA FOR CONTRACTS

SEC. 5. (a) The following conditions shall apply to each contract under sections 3 and 4:

(1) The contract shall assure the involvement of private sector managers and executives in the conduct of such programs.

(2) The contract shall contain assurances of an ongoing organizational commitment to carrying out the purposes of this Act through (A) obtaining matching funds for such programs at least equal in amount to the amount of funds provided under this Act, (B) making in-kind contributions to such programs, (C) demonstrating a commitment to continue to operate such programs after expiration of funding under this Act, and (D) organizing a policy advisory committee including (but not limited to) representatives from business, private foundations, and local and State educational agencies.

(3) The contract shall demonstrate the level of development of human relations skills which its programs will instill by (A) identifying the credentials of the staff responsible for such development; (B) describing the manner in which such skills will be developed; and (C) describing the manner in which the program deals with human relations issues facing education administrators.

(4) The contract shall establish a system for the evaluation of the programs conducted.

(b) Each contract under sections 3 and 4 shall be for a term of three years, subject to the availability of funds pursuant to section 2. Such contract shall not be renewable, except that a single three-year extension may be granted if the contractor agrees to maintain the programs with assistance under this Act reduced by one-half.

REGULATIONS

SEC. 6. The Secretary is authorized to prescribe such regulations as may be necessary to carry out this Act.

DEFINITIONS

SEC. 7. For the purposes of this Act—

(1) the term "Secretary" means the Secretary of Education;

(2) the term "institution of higher education" has the meaning provided by section 1201 of the Higher Education Act of 1965;

(3) the term "Federal region" means a Federal region as established under Circular A-105 prescribed by the Director of the Office of Management and Budget, or a successor thereto;

(4) the term "school administrator" means a principal, assistant principal, district superintendent, and other local school administrators;

(5) the term "local educational agency" has the meaning provided by section 595 of the Omnibus Budget Reconciliation Act of 1981; and

(6) the term "leadership skills" includes, but is not limited to, managerial, administrative, evaluative, communication and disciplinary skills and related techniques.●

OUR HOME THE CHESAPEAKE BAY

HON. ROY DYSON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. DYSON. Mr. Speaker, on the occasion of the 350th anniversary of the founding of the State of Maryland, the people of our great State are expressing their pride in many ways. Many of the most noteworthy contributions have come from schoolchildren. One such contribution is the winning essay from the Pocomoke High School essay contest of this year. It is a fine piece worthy of attention. The author, Ms. Kelly Morris, chose as her topic, the Chesapeake Bay, our precious resource which finds itself increasingly a victim of pollution. Ms. Morris' essay, a timely message calling for improved management of the bay, is entitled: "Our Home the Chesapeake Bay." I would like to share her piece with you today.

OUR HOME THE CHESAPEAKE BAY

(By Kelly Morris)

Our Chesapeake Bay began 20,000 years ago when the Susquehanna River finished carving the valley that our bay would one day occupy. Our bay is 200 miles long and ranges in width from 4 miles to 40 miles.

Each year the water becomes more polluted; and the fish, crabs, oysters, and other living organisms die by the thousands. Pollution that kills these organisms results from the cooling of nuclear power plants such as Calvert Cliffs, disposal of industrial wastes into the bay, and agricultural runoff. If natural resources are to stay alive, we need to care for our bay.

Aside from pollution, our bay still has much to offer. We use the bay as an avenue for shipping goods to and from other countries, and we use it as a training ground for the military such as Bloodsworth Island near Annapolis. We also use the bay as a recreational facility for swimming, fishing, sailing or boating. An example is Sandy Point State Park.

We should identify the uses of the bay that we want to conserve and the characteristics of the bay on which those uses depend. Then we should attempt to develop effective management strategies to keep the bay alive. Man is the only one who can plan the bay's future.●

CUSHING HOSPITAL

HON. JAMES M. SHANNON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. SHANNON. Mr. Speaker, Cushing Hospital in Framingham, Mass., first opened its doors in 1943, a U.S. Army hospital built to treat servicemen wounded in World War II. After the war, Cushing Hospital continued to symbolize the ideal of public service as a Veterans' Administration hospi-

tal, while maintaining its standard of medical excellence. When, in 1955, the Commonwealth of Massachusetts took over the hospital's administration with the idea of concentrating on geriatrics, a new chapter in public service began.

This new Cushing Hospital set out to provide the elderly with the best possible health care. It has remained dedicated to that goal over the years even in the face of unforeseeable challenges posed by today's world. Skyrocketing health costs and inadequate facilities to care for a fast-growing elderly population have conspired to make the goal of proper care that much more difficult. Cushing Hospital, as a public facility, has treated many patients unable to afford to go elsewhere. New technologies have opened the possibilities for longer life without addressing the question of quality of life for the elderly: At Cushing, improving the quality of life for patients becomes an integral part of comprehensive health care.

Cushing's caring staff, bright environment, connections to community organizations, and inhouse resources help the elderly pursue their interests and contribute to the community despite their medical difficulties.

The elderly comprise a higher percentage of America's population than ever before, and the percentage is growing. Right now, many elderly have no access to adequate health care, and have lost their links to the community. I hope more health care facilities will turn to the model set by Cushing Hospital, with its emphasis on improved quality of life, and I hope that Cushing's plans to reach even more elderly citizens through a network of community organizations will meet with the success that the hospital has had throughout its history of public service.●

VOLUNTARY NATIONAL SERVICE PROGRAM

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. BONIOR of Michigan. Mr. Speaker, I commend to the attention of my colleagues, an article by Matthew Cossolotto on "The Draft, National Service, and the Solomon Amendment," which appeared in the January 4, 1984 Chronicle of Higher Education. Mr. Cossolotto's article challenges us to turn our attention to the larger issue at stake in the debate over the Solomon amendment—the need to reexamine the programs that affect our draft age Americans. His proposals for a voluntary national service program should serve as a useful guideline for future national debate.

The article follows:

[From the Chronicle of Higher Education, Jan. 4, 1984]

THE DRAFT, NATIONAL SERVICE, AND THE SOLOMON AMENDMENT

There has been a great hue and cry about the so-called Solomon amendment, which denies federal aid to students legally required to register for the draft who fail to show evidence of having done so.

A variety of objections have been raised against this common-sense law, offered originally last year by Rep. Gerald B. H. Solomon, Republican of New York, as an amendment to the Defense Authorization Act. Opponents contend that withholding student aid from registration resisters (you can't technically call them draft resisters since there is no draft) constitutes unwarranted federal intrusion in academe, that such action discriminates against less-affluent male college student by singling them out for punishment, and that the practical difficulties of enforcing the law impose under hardship on college campuses. The Supreme Court has agreed to review a challenge to the law, and is likely to rule in the next few months.

But federal intrusion isn't, a priori, a bad thing. When the federal government intrudes on campuses to enforce civil-rights or anti-sex-discrimination laws, only a few raise objections. And I'm not sure it's so bad to require an already privileged group of college students to register for a possible future draft in exchange for receiving federal education assistance. As for the practical problems of enforcing the law on the campuses, the regulations implementing the Solomon provision do not seem to require an extraordinary effort on the part of financial-aid administrators. In view of the confusion in the Congress and the courts about the new law, however, delaying the October 1 effective date could have helped to ease the strain.

Another line of reasoning opposed to Solomon appeared in August on the opinion page of the Christian Science Monitor. The article suggested that the Solomon amendment represents "a significant threat to academic freedom broadly construed" because it "will have the effect of allocating educational opportunity on the basis of political belief."

This is a curious argument. While it is, of course, arguable that the decision of some to resist registration can be described as a political belief, that belief surely loses much of its force considering we are now at peace, and there is no military conscription in place or even contemplated except for a national emergency. The mere granting of a political motive to registration resisters does not settle the argument. The real question is whether taxpayers are obligated to subsidize the college education of people who violate the law by failing to register.

The Solomon amendment says, in effect, that taxpayers have no such obligation. It would certainly be unreasonable to expect taxpayers to support students who refuse to register for a future draft—by any measure a minimal and unobtrusive step, which a majority in Congress agreed was necessary for our national security.

There are admittedly differing views on whether registration is, indeed, necessary for national security; but that debate has been settled. Draft registration is the law of the land.

Making financial assistance contingent on registering is a far cry from denying admission to college to people on the basis of po-

litical persuasion. Registration resisters are free to apply to and attend any college, although they could face prosecution for violating the registration law. The Solomon amendment simply says that taxpayers should not be asked to pay for the college training of those who defy the law.

What is missing in the debate about the amendment and the broader draft-registration issue is a discussion about what kind of service young people may be required to perform. Proponents of peacetime draft registration argue that it is needed to meet military manpower requirements in the event of a general mobilization. As such, registration does nothing to insure the continued viability of the all-volunteer army.

Right now, due primarily to the economic recession, recruitment and retention in the armed forces are adequate. But what will happen if the economy enjoys a sustained recovery and civilian job opportunities begin to open up? The military may again face serious difficulty in attracting young people to serve.

In the next year or two, demographic factors may conspire with a reviving economy to make the all-volunteer military an increasingly untenable proposition. In 1981 over four million Americans turned 18. By 1985 the number in that age group will decline to just over three and half million.

As the economy picks up and recruitment tapers off, there will again be calls for a return to peacetime conscription. But those calling for a peacetime draft ignore both our strong tradition against mandatory service and the fact that the military will not need simply more bodies; it will need people with the right qualifications.

The registration and student-assistance debate should be expanded to include broader questions related to national-service options. Last November, however, the House of Representatives defeated a bill to establish a short-term Commission on Voluntary Service Opportunities. By a vote of 179 to 245, the House effectively derailed this legislative attempt to stimulate a national debate about existing service opportunities and various national-service proposals.

The fact is, our government has yet to give coherent attention to the patchwork of existing programs affecting draft-age Americans. Financial aid to students, job-training programs, military recruitment, and various civilian voluntary-service programs all interact, each pulling draft-age young people in one direction and away from another. We need a forward-looking national debate on those often conflicting programs to see if they can be pulled together into a coherent whole.

My own preference is for a voluntary national service program that would reduce federal subsidies to those who do not serve, provide certain benefits only to those who do serve, and emphasize the predominant importance of military service while providing expanded opportunities and rewards for those who serve in other capacities.

Under such a program we might:

Re-establish the old GI Bill, providing for full college benefits in exchange for two years of military service.

Replace all existing federal student-aid programs with a "national service" loan program. Only those who had completed one year of non-military service would be eligible for a below-market-rate loan to cover college expenses.

Replace public-service jobs and job-training programs with direct subsidies or vouchers to employers hiring someone who has

completed at least one year of national service.

Establish a call-up order for a future draft that gives deferment priorities to those who have completed some from of service. No exemptions or deferments would be available to those who have not served. This step might encourage higher-income young people, who are indifferent to financial inducements, to participate in the national-service program.

There would also have to be a structure for certifying and implementing civilian-service programs in such areas as conservation, human services, and education both at home and abroad. The key principle should be decentralization, with local boards established to certify programs.

Private citizens and business should be encouraged to make tax-exempt contributions to finance national-service projects.

While opponents of the Solomon amendment may object to some parts of my proposal, there is nonetheless an imperative need to examine voluntary-service options before we find ourselves again contemplating a peacetime draft, with a few available alternative available to us. ●

BLACK HISTORY MONTH

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. RODINO. Mr. Speaker, it is a privilege for me to join again in this observance of Black History Month. I am especially proud of the celebrations planned by my State, New Jersey, and my city, Newark. Governor Kean has signed a proclamation recognizing the diamond-jubilee anniversary of the NAACP, and both he and Mayor Gibson have officially proclaimed February as Black History Month. I want to include in the CONGRESSIONAL RECORD immediately following my remarks an article from the January 29, 1984, Newark Star-Ledger that discusses the many activities in New Jersey planned to dramatize the rich contributions of blacks to American culture and history—contributions in art, literature, music, religion, science, government, the military, business, and entertainment.

I believe that 1983 was a milestone in some respects in the chronicles of blacks in America. But it was a year, also, in which we had to continue to resist the forces of reaction who would turn back the clock on civil rights.

Among the memorable events was the rally of hundreds of thousands of us in Washington last August to pay homage to Dr. Martin Luther King, Jr. We gathered to commemorate that day 20 years previous when Dr. King led us in a historic congregation, the day on which he made our country's spirits soar with his dream of what America could be.

I was privileged to take part both in that original rally when Dr. King set America on his "sunlit path of racial justice" and in the restatement two

decades later of our commitment to the causes that consumed him: equal justice, equal opportunity, human rights. The latter rally demonstrated beyond doubt that the spirit of Dr. King lives on. They shot down the man, but they could not shoot down his dream, a dream that was stronger than life and more powerful than death.

Mr. Speaker, 1983 was also historic because, after a decade of struggle, we succeeded in having the Congress declare the birthday of Dr. King a national holiday to be celebrated on the third Monday of January. As an original sponsor of legislation to so honor this man, I am gratified that our long endeavor has achieved success and that all of us will have one special day to rededicate ourselves to the principles of social, political, and economic justice for all.

That such rededication will be vital to continued progress is evident. Reagan administration action and inaction in civil rights and social justice forebode dark clouds on the horizon of Dr. King's sunlit path, a path on which we have had to labor merely to mark time.

So, while there has been progress on the path to justice and equality—thanks in no small measure to the immense contributions of blacks in American history—black history is not fully writ. New black leaders continue to arise to join those who are veterans of the movement determined to use the power of politics and public office as the way to equality.

"The whole history of the progress of human liberty shows that all concessions yet made to her august claims have been born of earnest struggle," Frederick Douglass said. "If there is no struggle, there is no progress."

Mr. Speaker, those words still ring true today. We are indeed fortunate to have been deeply involved in successful battles for progressive legislation: the Civil Rights Act, the Voting Rights Act, the Fair Housing Act, nutrition and education programs, legal services, to name but a few. Today, many of these programs are under continuing attack. Earnest struggles lie ahead for us, struggles to protect our hard-won victories and struggles to resume the steady march toward equal opportunity in our society for all.

BLACK HISTORY MONTH WILL HERALD OUTPOURING OF FESTIVITIES IN JERSEY (By Angela Jones)

Wednesday will officially mark the beginning of Black History Month festivities nationwide, and Jerseyans are busy polishing plans for the annual celebration.

This year will also commemorate the 75th anniversary of the NAACP, the nation's oldest civil rights organization, and will mark the first year of existence of the New Jersey Historical Commission.

Last fall, Gov. Thomas Kean signed a bill introduced by Assemblywoman Mildred

Barry Garvin (D-Essex) that established the commission and appropriated \$75,000 towards its efforts this year in studying the history of blacks in New Jersey.

Garvin noted that establishment of this official commission will add a special glimmer to this year's celebration in the Garden State.

"I'm really excited," she said. "This commission makes it a real valid Black History Month in New Jersey. 'We're finding as we gather data that there are historical sites all over the state as far as blacks are concerned. I think the identification of these historic places will make people more involved and aware of our contribution.'"

Giles Wright, coordinator of ethnic history programs for the commission, explained that Black History Month was started as "Negro History Week" in 1926 by Carter G. Woodson, the country's first black historian.

Forty years later in 1976, The Washington, D.C.-based Association for the Study of Afro-American Life and History, founded by Woodson, officially extended the event from a week to a month and replaced the word "negro" with "black."

In commemoration of the historical occasion and the diamond-jubilee anniversary of its parent organization, NAACP chapters in New Jersey will be holding special Black History Month activities throughout the year, according to state NAACP President Irene Hill Smith.

"We have been left out of the history books," Smith said. "Any occasion we have to highlight the contributions of blacks should be taken."

Smith said recent landmark events like the crowning of the first black Miss America and Miss New Jersey, coupled with the advent of a major black presidential candidate, add to the excitement of Black History Month this year.

Pierre Hollingsworth, president of the Atlantic City Chapter of the NAACP, said his organization will hold a series of events to mark the occasion, including essay contests, poetry recitations and concerts.

The statewide chairman of the NAACP's voter registration drive, Hollingsworth said he also will use the month to begin signing up 61,000 unregistered black voters in the state.

Meanwhile, Kean is scheduled to sign two proclamations next Monday in Trenton recognizing the NAACP anniversary and officially declaring February Black History Month in the state, according to Beverly Fedorko, public events coordinator for the Governor.

East Orange Mayor Thomas H. Cooke Jr. will be the featured speaker in a black history program at the East Orange Public Library on Feb. 15, according to Anthony Wilson, public relations spokesman for the city.

In Newark, events during the month will be centered around the theme, "Deep Are Our Roots: A History of Black People in the City of Newark," reported Shirley Rutherford, Black History Month chairwoman and executive director of the city's Human Rights Commission.

On Wednesday during a City Hall ceremony, Newark Mayor Kenneth Gibson will sign a proclamation officially kicking off Black History Month activities in the city.

The celebration will feature a City Hall exhibit of historical material from the archives of the Newark Public Library dating back to the 18th Century, as well as pictures and artifacts from the collections of individ-

uals whose families are longtime residents of the city.

Gibson said the exhibit "holds a particular significance to our citizens."

"Blacks have lived and worked in Newark since at least the 1730s," the mayor said. "Perhaps one of our first black heroes was a slave named Cudjo, who fought in place of his master and was rewarded with freedom and property on High Street."

The mayor said he hopes the exhibit "will fill our residents, particularly our young people, with a new pride and awareness of the importance of Newark's black citizens."

At the Newark Museum, a Smithsonian Institution exhibit depicting the unsung contributions of black Americans to the history of aviation in this country will open Feb. 7 and run through March 4.

Entitled "Black Wings: The American Black Aviation," the display is being sponsored by the Port Authority of New York and New Jersey, the Federal Aviation Administration and the museum.

Henry Henderson, who last year was appointed the first black commissioner to the Port Authority, said it is important for both blacks and whites to recognize the contributions of blacks in this field.

"Although we have lived through the growth of aviation, many of us are still not aware of the important roles that blacks played," he said.

The celebration will bring to New Jersey the two eldest daughters of slain civil rights leaders Martin Luther King Jr. and Malcolm X. Yolanda King and Attallah Shabazz will make appearances as stars in a play entitled "Stepping Into Tomorrow," a musical comedy dealing with the struggles of growing into adulthood, at Monmouth College on Feb. 28, according to Jane Schoener, director of public information for the college. The performance is scheduled for 7:30 p.m. in Pollak Auditorium on the campus, located in West Long Beach.

"Each year, (celebration of) Black History Month on the campus seems to be growing," Schoener said. "It's something the whole college community and the public can participate in."

Newark Symphony Hall will feature the play on Feb. 29 at 10 a.m. Other activities to be featured at the Broad Street theatre during the month include a one-man performance based on the writings of poet and author Langston Hughes, a presentation by the Newark Dance Theatre and concerts by jazz artist Jimmy McGriff and the North Jersey Philharmonic Glee Club.

The YWCA of Newark and vicinity will feature a series of films, concerts and workshops for children and adults, according to Bernadette Kocielek, director of marketing and communications for the organization.

Included in the YWCA's events are a documentary film on the life of Dr. Martin Luther King Jr., a concert by the Arts High School Chorus and a magic show.

Actor-choreographer Geoffrey Holder will be the featured performer when Essex County College opens its Ninth Annual Black History celebration Wednesday. The 7 p.m. performance will be the first in a month-long series of guest appearances, concerts, lectures and exhibits at the school, located on High Street in Newark.

An all-day conference entitled "In that Great Gettin' Up Mornin': Religion in Afro-American, Haitian and Jamaican History" will highlight Black History Month activities at Rutgers University's Newark campus on Feb. 18.

The program will be held at the Robeson Campus Center, and will feature Dr. Vin-

cent Harding of the Iliff School of Theology in Denver, Colo., who will deliver a lecture on "Black Religion and its Transformation of America."

Human Rights activist Dick Gregory will open Black History Month Activities for Rutgers University's New Brunswick area campuses on Feb. 1 at 8 p.m. when he delivers a lecture at the Busch Student Center in Piscataway. ●

THE LAST OF THE MOHICANS

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. CLAY. Mr. Speaker, I would like to bring to the attention of my colleagues an article that appeared in the Quad-City Times on June 26, 1983, regarding Mr. Charles W. Toney.

Mr. Toney, who lived for some years in my congressional district, recently retired from Deere & Co. as director of affirmative action with 42 years of service. Mr. Toney did not begin his duties at Deere & Co. in this position. He was initially hired as a foundry worker earning \$17 a week.

As the result of his dedicated, hard, and sometimes seemingly unrewarding efforts to improve and advance minorities, the employment picture for this group was greatly improved with a large number of minorities advancing to higher positions.

The position that Mr. Toney held was one that required long hours and serious dedication on his part but he somehow found the time to also become one of the foremost civil rights activists in his area, which also resulted in many gains for minorities in many other areas of involvement.

I would like to commend and applaud this dedicated, concerned individual for a job well done. His efforts should serve as an inspiration to all, young and old alike, today. The article follows:

THE LAST OF THE MOHICANS

(By John Willard)

Charles W. Toney lifted the brass figure of a foundryman from the white brick fireplace of his home overlooking Oakwood Country Club.

The sculpture is one several gifts Toney received when he retired last month as director of affirmative action for Deere & Co. It depicts a muscular man pouring molten metal out of a ladle.

Toney himself started at Deere as a \$17-a-week foundry worker and rose to become the company's highest ranking black. Working your way up from the bottom like that would be impossible today, Toney said, because that old foundryman's job doesn't exist anymore.

"Today, metal castings are poured by a computer. Muscular power is out," Toney said as he studied the miniature foundryman.

"I'm the last of the Mohicans."

Toney says minorities who get ahead in businesses today will be those who can master the new technology. Education, es-

pecially in the fields of accounting and engineering, is the key. "We used to see many minorities going into the social sciences, but I feel we lost ground. You can hire only so many social workers."

"And black studies was fashionable for a while. Young people majoring in black studies had good motives, but there's no such thing as black arithmetic or black accounting."

Toney stressed the importance of science and accounting curriculums to the young blacks he met while working as Deere's affirmative action chief. When he started in the position 15 years ago, there were two black engineers in the entire corporation.

Backed by a company fully committed to increasing opportunities for women and minorities, Toney went searching for minority talent on college campuses. He scoured Deere's own ranks for promising minority workers.

Toney said blacks can be found in all areas of the corporation today. There are between 30 and 40 black engineers, two black lawyers, and 50 to 60 black first line supervisors. The company also has a black plant manager, something unheard of not long ago in the agricultural implement industry.

"I feel confident and happy that minorities are advancing. There's no doubt in my mind that Deere will have a black vice president very soon," he said.

Toney said black progress at the executive level has been slow because blacks were denied opportunities for so long. "Whites have had the advantage of attending the best schools, but now blacks are graduating with M.B.A. degrees," he said.

Another barrier, Toney said, has been management's reluctance to let blacks prove themselves.

"A good manager has to give us the same opportunity to fail as he would give to whites. All too often, everybody keeps waiting for that super black to come along."

Toney could fit the definition of a super black. A one-time magazine publisher, star athlete and the first black welder in the Quad-Cities, Toney has been breaking racial barriers all of his life.

He was born in La Crosse, Wis., and raised by his mother in Clinton, Iowa, where he excelled in sports at Clinton High School.

Despite his athletic feats, Toney wasn't allowed in Clinton's public swimming pool. The humiliating experience sparked his interest in civil rights.

Although his mother kept telling him that blacks weren't making it in industry, Toney decided to pursue a chemical engineering major at St. Ambrose College. The Depression interrupted his studies and he ended up working as a \$9-a-week elevator operator in St. Louis's notorious "Hell's Half-Acre" ghetto.

After hearing that Deere was hiring, Toney returned to the Quad-Cities in 1936 and began his 42-year career with the company.

Toney took time out to work for noted civil rights activist A. Phillip Randolph in Washington, D.C. He also tried his hand at magazine publishing.

Toney and his wife, Ann, brought out their first issue of "Sepia Record" in 1944. The slick-paper magazine, featuring stories of black achievers in the Quad-Cities, predated the widely known black-achievement oriented "Ebony" by two years. "Sepia Record" folded after two issues because of lack of advertising revenue.

But Toney and Ann continued making racial breakthroughs. They won the first civil rights suit ever filed in Iowa after being refused service in a Davenport ice cream parlor.

Toney participated in a study of racial discrimination in Davenport. The survey, taken during the early 1950s by the League for Social Justice, revealed no black teachers in the city, no black firemen, no black policemen. Of 10,000 workers employed at 18 of the city's largest concerns, fewer than 175 were black.

Toney chuckled at a visitor's amazement of such facts while relaxing at his brick and cedar-ranch home in Coal Valley. He built it five years ago to be close to golfing, his favorite hobby.

With its ivory carpeting, damask-covered sofas and beamed ceilings, the home is a handsome and comfortable refuge for a man of achievement.

But Toney has no plans to spend his retirement just relaxing Teaching and consulting work are among the options he is considering.

Another task facing Toney is mastering the use of another retirement gift, a home computer. His 10-year-old grandson, a computer whiz, will be his teacher. ●

RESOLUTIONS ADOPTED BY THE KNIGHTS OF COLUMBUS SUPREME COUNCIL

HON. ROY DYSON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. DYSON. Mr. Speaker, I rise today as a proud member of the Knights of Columbus to share with you and the rest of my colleagues several resolutions adopted by the Knights of Columbus Supreme Council in Columbus, Ohio. I am proud of the accomplishments of the K. of C., and offer these resolutions for review by the House.

KNIGHTS OF COLUMBUS,
New Haven, Conn., September 19, 1983.
Hon. Roy P. Dyson,
House Office Building,
Washington, D.C. 20515

DEAR REPRESENTATIVE DYSON: The Knights of Columbus Supreme Council, the governing body of our society, at meeting held in Columbus, Ohio, August 2-3-4, 1983, adopted resolutions pertaining to the founding principles of our nation as they pertain to religious freedom, support of life from conception to natural death, pornography in the media and tuition tax credit. Copies of these resolutions are attached for your information. Each is self-explanatory and the Knights of Columbus seek your support in enactment and enforcement of federal legislation compatible with the ideals expressed in these resolutions.

Sincerely yours,

HOWARD E. MURPHY,
Supreme Secretary.

Enclosures.

RESOLUTIONS ADOPTED BY THE KNIGHTS OF COLUMBUS SUPREME COUNCIL AT MEETING HELD IN COLUMBUS, OHIO, AUGUST 2-3-4, 1983

RESOLUTION NO. 1

Resolved, That we, as Knights of Columbus, take every opportunity to remind our Congressional representatives and Supreme Court Justices of the necessity to uphold the founding principles of our Nation, and

Resolved, That all councils and assemblies be requested to petition immediately the Supreme Court and the Congress to reaffirm unequivocally that the First Amendment to our Constitution forbids separation of Church and State, since separation would violate the founding concept of Christian neutrality in that "Congress shall make no law prohibiting the free exercise of religion" and further reminding them that our Constitution mandates freedom FOR religion, rather than freedom FROM religion, and further that it is their sworn and solemn duty to uphold and defend the Constitution.

RESOLUTION NO. 2

Whereas, Fundamental rights established in all countries where the Order exists guarantee that each person is created with certain equal and inalienable rights including the right to life, and

Whereas, Because science has been unable to prove just when human life begins, reason dictates the conclusion that it begins at conception, and

Whereas, The United States Supreme Court, on January 22, 1973, swept aside state laws prohibiting abortion on demand and consigned to death millions of children yet unborn, said opinion being reaffirmed by the Court on June 15, 1983,

Whereas, the Court usurped the traditional power of each state to prohibit abortion and protect the innocent life of defenseless unborn children, thus promulgating in effect a so-called right to abortion that appears nowhere in the Constitution.

Resolved, That we, as Knights of Columbus, express our profound disappointment at the Court's decisions, stress our continued support for life from conception to natural death, commend President Reagan for his staunch pro-life stand, call upon our duly elected representatives, to restore to the people the basic liberties that the Court has eroded, including legal protection to the unborn and to those who are unable to care for themselves.

Further resolved, That we continue to support efforts to defend human life, to implement natural family planning and to participate in ongoing activities to preserve traditional family values throughout the world.

RESOLUTION NO. 3

Whereas, the Knights of Columbus have been most active in the fight against pornography both in its printed and visual forms because such materials attack the values of the family, the soul of our society and, unless pornography is successfully eradicated, it will continue its decaying, corruptive effect on our civilization as a whole, and

Whereas, in the United States of America the President has formed a White House Working Group on Pornography to provide impetus to the ongoing fight against this evil,

Resolved, That we commend the efforts of Morality in Media, Inc. to eradicate pornography and urge all state and subordinate councils in the United States to join Morality in Media, those in Canada to join Canadians for Decency and those in Mexico to join

the Alianza por la Defensa de la Familia, and thus actively support the campaign against pornography; and

Further resolved, That we commend President Reagan on the establishment of the White House Working Group on Pornography and express our support for his continued efforts to have the existing laws concerning pornography strictly enforced, and

Further resolved, That we urge the legislative bodies in each of our countries to enact strong legislation prohibiting the showing of pornographic programming on cable television.

RESOLUTION NO. 4

Whereas, all persons under our democratic system of government are guaranteed free exercise of certain inalienable rights including the precious right of parents to educate their children in the school of their choice,

Whereas, the President of the United States caused legislation to be drafted to grant a tuition tax credit to parents who send their children to non-public schools, and considered this bill of such priority that he transmitted it to both houses of Congress as the first matter of business after the budget,

Whereas, the Supreme Knight has been instrumental in forming a coalition of Catholic organizations in cooperation with the United States Catholic Conference, to include the Knights of Columbus, the Catholic Daughters of the Americas, Citizens for Educational Freedom, Daughters of Isabella, National Catholic Educational Association, and the National Council of Catholic Women to engender grass roots support for this legislation,

Resolved, That we wholeheartedly endorse and support the efforts of the Supreme Knight and this coalition to gain enactment of the tuition tax credit bill known as "The Educational Opportunity and Equity Act of 1983" during this session of Congress.

Further resolved, that each Knight, individually, let his and his family's support for this legislation be known by communications with his United States Senators and Representative, and

Further resolved, That the Supreme Secretary send a copy of this resolution to President Reagan and each of the members of Congress to express our commendation to those who support this educational equity proposal and seeking earnest consideration from those who have not expressed their support. ●

THE BUDGET THAT WASN'T

HON. TIMOTHY E. WIRTH

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. WIRTH. Mr. Speaker, over the past 2 years, the House and the other body have repeatedly proposed to the President that we begin serious negotiations to reduce the massive budget deficits which threaten the Nation's economic recovery. Last year's budget resolution included language, proposed by the House, calling on the President to name representatives to a bipartisan panel to craft a real, long-term deficit reduction plan. We got no response. Senator DOLE made a similar

proposal to the President from the other body. He got no response.

While we welcome the President's offer to negotiate—finally—in his state of the Union address, the budget he has just proposed thoroughly undermines any faith any of us may have had in his seriousness in making that offer. I commend to my colleagues' attention the following editorial from the Washington Post of February 5:

THE BUDGET THAT WASN'T

The more carefully you look at President Reagan's budget performance, the more peculiar it gets. He has sent to Congress a budget that neither he nor anyone in his administration is willing to support. His budget director acknowledges fundamental inconsistencies, and his economic adviser assures Congress that it has no relationship to the administration's purposes: "The budget is not what we want to see happen . . ."

What do they want? A smaller deficit, they say. How? Here you get suggestions of spending cuts, unspecified. But the budget director, David Stockman, told *Fortune* Magazine a few weeks ago that there will be no more large spending cuts—and he is certainly right as long as defense remains untouchable. You notice that this budget itself contains no significant spending cuts. The economic adviser, Martin Feldstein, hints that there will obviously have to be a big tax increase after the election. But Mr. Feldstein is leaving that job in a few months, and there is no reason to think that he is speaking for the president.

The White House spokesman heatedly says the president reaffirms the figures as printed in the budget. But which figures? Some assume that the deficit will decline. Others say that it won't. In fact, the president is refusing to make the basic choice. Mr. Stockman incautiously suggests that the White House is waiting to hear the voice of the people in November. But suppose Mr. Reagan wins, and concludes that the voters want neither spending cuts nor tax increases. What then? The administration grins and shrugs.

Mr. Reagan says that he wants Congress to negotiate with him. His secretary of the Treasury, always a reliable indicator of political currents at the White House, chides the Democrats for not responding immediately. But what are they to negotiate on? A budget that the administration has already disavowed?

Mr. Reagan is not doing a president's job. Under American law and customs, the initiative comes from the president. The American government does not work well when the president refuses to lead.

Mr. Reagan has given no one in Congress much reason to believe that he is ready to negotiate in good faith. If he were really looking for a way to begin reducing the deficit and wanted a congressional proposal, he could seize the combination of spending cuts and tax increases drafted by Sen. Robert Dole, who has shown more courage and candor on the budget than all the administration's various quarreling factions put together. Several times over the past year Sen. Dole has called for just such negotiations between the White House and congressional leaders; the White House never responded.

Given that experience, it's hardly unreasonable for Democrats to fear that negotiations now would be merely a trap. They assume that if they were to make any serious proposal, Mr. Reagan would spring up

from the table and bound around the country brandishing it as evidence that the Democrats want to raise your taxes and weaken the national defense.

But perhaps Mr. Reagan has had a true change of heart since Sen. Dole's last unanswered invitation. Perhaps he really does want genuine negotiations now with Congress. If that is the case, those negotiations will have to start with a presidential proposal and a presidential position. Mr. Reagan will have to come up with a presidential budget that he is prepared to stand behind. On the central issue of American domestic policy, he will have to start behaving like a president. ●

WHOSE CHOICE?

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. VENTO. Mr. Speaker, the President of the United States gave new meaning to the term "freedom of choice" on national television a few days ago.

He said:

What we have found in this country, and maybe we're more aware of it now, is the people who are sleeping on the grates, the homeless who are homeless, you might say, by choice.

By choice?

If the President really believes that people who live on the street, sleep on heating grates and park benches, freeze their feet and their fingers, and die of hypothermia are exercising their freedom of choice—then he better think again.

Choice implies a right or privilege to choose freely. You have free choice only if you are not imprisoned by the circumstances of your existence. The homeless have no power, no options.

When a man stands on the ledge of an 18-story building and threatens to jump, would the President say the man is exercising his freedom of choice?

It is a quicker death to jump, but homelessness is the same kind of fall—it just takes longer.

When someone is too sick, too confused and too disoriented to go to a shelter for the night, it does not mean that the person is homeless by choice.

Surely the President does not believe homeless people choose to be unemployed, choose to be unable to find housing, choose to be mentally ill, choose to be alcohol- and drug-dependent, choose to be ruled ineligible for disability assistance. What kind of choices are these?

The homeless do not have the ability to choose because of the weight of extenuating circumstances. They are victims of conditions beyond their control. But not beyond the control of the President. In fact, the Reagan administration's social policies are directly linked to the miserable plight of the

homeless. Instead of offering them a helping hand, the President has offered them a slap in the face.

Under the Reagan administration's policies, the homeless cannot even pull themselves up by the proverbial bootstraps—because they do not have any boots.

Last week, the Housing and Community Development Subcommittee held a 9-hour hearing in a shelter for homeless people operated by the Community for Creative Nonviolence in Washington, D.C. The shelter, a barely habitable abandoned building owned by the General Services Administration, is located just a few blocks from Capitol Hill and only 2 miles from the White House.

Thirty-seven witnesses—big and small city mayors, the Governor of New York, representatives from charitable and religious organizations, volunteers, and homeless people themselves—told the subcommittee in no uncertain terms why there are so many homeless people today, and why there is not enough being done to help them.

The answers we heard were a horrifying indictment of the Reagan leadership.

From the testimony and the subcommittee's continuing work, it is evident that there is a clear relationship between the Reagan administration policies—cutting housing assistance, cutting nutrition and food programs, cutting social spending, cutting hundreds of thousands of people off social security disability—and the increased homeless population on the streets and grates of America.

Record unemployment and the country's worst economic slump since the 1930's fell hardest on those already on the margins of society—especially, the poor, the young, and minorities. In New York City, the average age of new applicants to public shelters is 34; 7 percent are under 21. In other cities, the average age of single homeless or sheltered populations is under 40.

Across the country existing shelters are being stretched to the breaking point. Each night they turn away homeless people because all the cots or floorspace is taken.

Reagan administration budget cuts have diminished the supply of low-cost housing. More units of low-rent dwellings are lost each year through abandonment, arson, demolition or conversion. Under the Reagan administration we have not yet had a decent low-income housing program. The reality of Reagan's housing assistance cuts has caught up with our society.

Many of the people living on the street today are former patients who were released from public mental hospitals as part of the shift from institutions to community-based care. While

some of the people released wound up in nursing homes or board and care homes, or even prison, many others—including some who obviously cannot take care of themselves—ended up on the street. Why? Local, State and Federal budget cuts axed the resources necessary to support these people in their communities. The severe cut-backs in Federal social programs—from counseling centers to halfway houses—meant that these former patients are being left to fend for themselves, frustrated and despairing, alone on the street.

Finally, the Reagan administration has over the past 2 years carried out an intensified, targeted effort to remove people from social security disability aid, including many qualified claimants. The latest figures show 300,000 people have lost their disability benefits. These are people who cannot work. Many have ended up in public shelters.

Since 1982, I have been advocating a national homeless program. A single piece of legislation alone would not prevent that man on the 18th floor ledge from jumping, but it could provide a net that would break his fall. Like the District of Columbia shelter which is owned by the Federal Government and operated by charitable organizations, the national homeless program we seek to establish would be built on the public and private resources we have.

Emergency shelter legislation passed the House of Representatives four times during the past 2 years. Given the administration's opposition, it is a tribute to the dedication of a small bipartisan group of Members and a small miracle that the legislation was finally signed into law last November. However, the program is an empty promise unless the Congress and the administration agree to provide the \$60 million necessary to fund the program, about \$30 per homeless person per year.

Ronald Reagan is old enough to remember the Great Depression and John Steinbeck's "Grapes of Wrath." Steinbeck was an eloquent witness to the frustration and indifference that grips people who have lost all hope, to homeless and hungry Americans on the move, the victims of economic circumstances that denied them any choice.

Steinbeck wrote about the hungry and the homeless this way:

A hunger in a stomach, multiplied a million times; a hunger in a single soul, multiplied a million times; muscles and minds aching to grow, to work, to create, multiplied a million times.

Would President Reagan say the people of the Great Depression were hungry by choice?

I was stung by President Reagan's unfair, insensitive and thoughtless statements about homeless people.

Today's homeless deserve better from the President of this Nation.

The prophet Isaiah wrote in chapter 58, 7-10:

Thus says the Lord, Share your bread with the hungry.

Shelter the oppressed and the homeless, Clothe the naked when you see them,

And do not turn your back on your own.

The President is the spiritual and moral leader of our country. It is pathetic that he would believe that people are homeless and desperate by choice.

OSHA RULE COUNTERS "RIGHT-TO-KNOW" LAWS

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. FLORIO. Mr. Speaker, I would like to bring to the attention of my colleagues a rule that was recently promulgated by the Occupational Safety and Health Administration (OSHA) which would eliminate what little public protection from toxic chemicals that exists. The rule would preempt local right-to-know laws that require industries to disclose to their workers, to their community and to public safety personnel the types of chemicals used on a day-to-day basis. These laws help make the public more aware of the dangers they face.

The new hazard communication rule proposed by OSHA leaves this very important matter entirely up to industry. The OSHA rule would require only manufacturing industries to assess the extent of danger presented by the chemicals used in their industry and then make the decision to inform the workers involved in the manufacturing process. Contrary to the right-to-know laws, the new rule does not require industries to inform the community and public safety personnel of the possible hazards and thus prevents the public from taking preventive measures and establishing effective evacuation procedures in the event of an accident. The OSHA rule furthermore places no requirements on construction, transportation, and public service industries where chemicals are widely in use. The OSHA rule thus ignores the public's right-to-know the dangers that they might be subjected to and severely hampers any efforts to minimize dangers to the community.

I would like to commend to the attention of my colleagues an article published in the Courier-Post that explains the provisions and ramifications of this rule:

FEDERAL OFFICIALS ATTEMPT TO UNDERCUT STATE AND LOCAL "RIGHT-TO-KNOW" LAWS

(By Ken Silver)

Reagan administration officials paid to protect the public from toxic chemicals

have been, it seems, on a three-year vacation. But Occupational Safety and Health Administration (OSHA) officials recently worked overtime in an attempt to eliminate what little protection exists. Over the Thanksgiving holiday weekend OSHA Director Thorne Auchter issued a new federal rule which seeks to preempt state and local "right-to-know" laws and replace them with a watered-down "hazard communication" standard.

Right-to-know laws require industries to disclose the identities of chemicals they use to workers, community residents and public safety personnel. They are an attempt to lift the lid on information about chemical hazards—information which industry has long concealed under the guise of "trade secrets." Fourteen states and over 30 county, city and local governments have passed such laws.

The new "hazard communication" standard was drafted with heavy input from the chemical industry in response to the growing right-to-know movement. A much stronger hazard identification and labeling rule proposed by the Carter Administration was withdrawn by Auchter's boss, Labor Secretary Raymond Donovan, as his first official act in 1981. The chemical industry assailed the Carter rule as too costly to implement and had branded it a gross example of federal interference. But when the cities of Philadelphia and Cincinnati and the state of California passed right-to-know laws in rapid succession, the chemical industry turned to Auchter for help.

Faced with more than 50 right-to-know bills around the country, the chemical industry—almost overnight—became the strongest advocate of federal regulation.

And for good reason. The hazard communication standard issued by OSHA last week is chock full of loopholes.

The standard covers manufacturing industries only. It ignores exposure to toxic substances in public employment, in construction, in transportation and in the growing service industries. Auto body shops, railroad yards, power plants and hospitals are among the many kinds of workplaces excluded. In all, the hazard communication standard covers less than one-quarter of American workers who are exposed to toxic substances on the job.

Under the Auchter rule, employers and chemical manufacturers themselves will assess the hazards of the products they produce or use.

The rule contains no provisions for community residents, firefighters or public safety officials to gain access to information on the chemicals used, stored, transported or emitted into the air, water and soil that surround a factory.

Most disturbing is that the Auchter rule gives corporations wide discretion to conceal information considered a "trade secret." And it provides no procedures for workers to challenge the legitimacy of companies' trade secret claims.

The hazard communication standard will not fully pre-empt state and local right-to-know laws. OSHA officials publicly admit that their rule cannot pre-empt the provisions of those right-to-know laws that give community residents and public safety officials access to information. The place where federal pre-emption is a real threat is in the manufacturing sector of worker right-to-know laws.

Even so, the U.S. Court of Appeals for the Fourth District recently upheld West Virginia's right-to-know law, rejecting the West

Virginia Manufacturing Association's argument that the federal government has supremacy in the regulation of workplace hazards. And last year a federal court upheld California's right to set a limit for worker exposure to ethylene dibromide (a known carcinogen) 100 times more stringent than the federal limit, over the objections of industry representatives.

The United Steelworkers of America and several affiliated national unions have already filed suit in federal court seeking a full judicial review which would require OSHA to explain its reasons for issuing such a weak standard. The unions have vowed to wage a protracted legal brawl to fight pre-emption in the courts. Industry, for its part, will argue that state and local right-to-know laws place an undue burden on interstate commerce are unconstitutional.

In spite of these legal uncertainties, chemical industry trade publications and some newspapers are reporting matter-of-factly that the standard will pre-empt state and local right-to-know laws. Lawmakers and the general public are understandably confused. In the 20 or more state legislatures where right-to-know bills will be debated next year, industry representatives are certain to proclaim that the federal government has "solved" the problem, thereby nullifying the need for state measures. Clearly, the major short-term benefit to industry from issuance of the hazard communication standard is not pre-empt, but confusion.

It is shameful indeed when our government works to keep its citizenry ignorant and confused, under the guise of allowing industry to protect trade secrets. It is high time for government to recognize that trade secrecy is a privilege—not a right—which society bestows upon private corporations for the limited purpose of promoting economic growth and production. Society must drastically limit that privilege when it encroaches on the inalienable rights of citizens to safe and healthy workplaces and communities.

The Reagan administration's failure to protect Americans from toxic chemicals and hazardous wastes is nothing new. The politicized quagmire of toxic secrecy into which President Reagan's EPA appointees sank a year ago appears to have finally swallowed Mr. Aucter whole as well.

The limp, loophole-ridden regulation issued by Mr. Aucter may as well be renamed the "right-to-snow." It is yet another reason why states, cities, counties and towns should enact strong laws for full disclosure of chemical hazards in the workplace and in the community.●

BUDGET REDUCTION FOR GALLAUDET COLLEGE

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● **Mr. FAUNTROY.** Mr. Speaker, while I will be joining my colleagues in the Congressional Black Caucus in developing the CBC alternative budget for fiscal year 1985, I want to take this opportunity to address a specific budget proposal. Gallaudet College is located in the District of Columbia, but the budget proposal for the Na-

tion's only postsecondary education institution for deaf persons will, if enacted, negatively affect virtually every Member's district.

President Reagan's fiscal year 1985 budget proposes an \$11 million reduction in the budget for Gallaudet's Model Secondary School for the Deaf (MSSD) and the Kendall Demonstration Elementary School (KDES). To recover this reduction, the budget proposes that Gallaudet charge local school districts for the tuition and expenses of children from those districts attending MSSD and KDES.

Mr. Speaker, the proposal presents local education agencies with a very difficult budget decision. Moreover, parents may be forced to forego this educational opportunity for their children because neither they nor their local school district can pay the tuition costs.

These programs currently serve 601 students in 34 States, territories, and the District of Columbia. The issue of fairness certainly pertains to this budget proposal—it is unfair.

Mr. Speaker, I am pleased to have had the opportunity to cosign a letter to President Reagan, along with my colleagues, Mr. Bonior who is a member of Gallaudet's Board of Trustees, Mr. Perkins and Mr. Murphy. We have urged President Reagan to reconsider this unfortunate proposal. Short of his reconsideration, I urge my colleagues to oppose this budget proposal and to make their opposition known to the White House and members of the Budget and Appropriations Committee.●

UKRAINIAN INDEPENDENCE

HON. BARBER B. CONABLE, JR

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1984

● **Mr. CONABLE.** Mr. Speaker, I would like to add my voice to those of my colleagues in commemorating Ukrainian Independence Day. The short experience with freedom that the Ukrainians enjoyed ended all too abruptly at the hands of a ruthless Soviet army. Ukrainians around the world show that they desire to enjoy again this freedom by commemorating this day.

Americans see the world as a large community, and when a member of that community is struck by natural disaster, Americans respond compassionately. When a member of the world community is victimized by brutal force or senseless violence, Americans react with shock and alarm. KAL flight 007, the attempted assassination of Pope John Paul II, and the Soviet role in Afghanistan, Hungary, and Eastern Europe serve to remind us in Congress that the American people

become angered when the community rules of decency and civility are violated.

These recent examples, however, cause some to lose sight of the past travesties like the Soviet annexation of the Ukrainian people, land and culture. Over 7 million Ukrainians died of starvation during 1932-33 because of Stalin's collectivization programs. The Ukrainian people stood steadfast in their opposition, yet faced deportation or execution if found in noncompliance. Though this horrifying loss of life occurred 50 years ago, it stands as one of the most calculated examples of imposing by force the will of one nation upon that of another.

The Ukrainian people still yearn to regain their freedom. This struggle is not easy, yet the Ukrainians in the Soviet bloc enjoy the strong support of the compatriots abroad and of the American people who seek the goal of a world community where human rights and freedom are protected and available to all.●

UKRAINIAN INDEPENDENCE

HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1984

● **Mrs. KENNELLY.** Mr. Speaker, 66 years ago, on January 22, 1918, the Ukraine declared itself independent and free. A scant 3 years later that declaration was nullified, not by choice, but by the crush of a powerful Red Army. Sadly enough, this victory of might over right was only the beginning of a drawn-out nightmare for the Ukraine.

Torture and terror are no strangers to the 50 million people in the Ukraine. Nor is forced starvation which has taken the lives of millions. The privation and suffering imposed on these Ukrainians, living under the heavy hand of the U.S.S.R., testifies to the horrifying capacity of man to wreak havoc on his fellow man.

The bright spot in this tale of oppression stems from Charles Péguy's remark that "Freedom is a system based on courage." If this is true, then those who live in the Ukraine are in a significant sense free, despite living under the looming shadow of the U.S.S.R., for those who live in the Ukraine are truly a courageous people. It is heartening to know that despite all efforts to eradicate the culture and traditions of this area, Ukrainian culture and traditions survive and flourish.

The courage of the Ukrainians fills me with a measure of awe and a great hope. It is my hope that in the years to come Congress will stand in this very room to celebrate an enduring political freedom for the Ukraine.●

**CRAFTED WITH PRIDE IN
AMERICA**

HON. C. ROBIN BRITT

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. BRITT. Mr. Speaker, in this age of increasing competition from foreign markets, strong efforts must be made to strengthen and promote our domestic textile industry.

Hopefully, trade law reform will be high on the legislative agenda this year. During the 1st session of the 98th Congress, I cosponsored H.R. 4124, the Comprehensive Trade Law Reform Act, which is designed to strengthen our trade laws by eliminating loopholes that allow dumping of foreign products and streamlining appeals procedures when violations occur.

I am also cosponsoring a bill, H.R. 4643, that enforces a labeling requirement imposed to let American consumers know whether a product is American made.

Recently one of my constituents sent me a poem that I feel captures the feelings of American textile workers concerning their current plight. "Crafted With Pride In America" was written by Mrs. Johnnie Busick, a tufting creeler who has been employed by Burlington House of Burlington, N.C. for over 30 years.

Mrs. Busick's poem communicates the dilemma facing the domestic textile industry and the reasons we, as elected officials, must do all we can to insure that our textile and apparel manufacturers have the chance to compete on a level playing field—not one that is tilted toward imports. What I hear from the textile manufacturers in my district is not a demand for protectionism, but merely a call for fair trade.

I hope Congress will keep Mrs. Busick's poem in mind when considering foreign trade legislation this year.

Following is the text of "Crafted With Pride In America," by Mrs. Busick:

Crafted With Pride In America
Made through knowledge and skill
Crafted with pride we inherited
That past generations instilled.
We are a people of great endeavors
Our accomplishments great and small
We started this nation with nothing
Then made life better for all.
Products of every nature
Have been made by our skillful hands
Reflecting the pride and genius
Throughout our God-given land.
Other nations have watched us and listened
And learned from the lessons we taught
And now as we watch they're stealing
The freedoms for which we have fought.
Foreign-made textiles and products
Keep flowing into our land
Loss of our jobs and our money
Even now makes idle our hands.

Stop now and look for a moment
At the treasure we're about to lose
We are the ones who can change it
It's ours to keep if we choose.

Let us all buy what we make in America
So America can lead once again
We're a people of great productivity
Let's fight this battle and win.

Crafted with pride in America
Let's always strive to stay number one
Crafted with pride in America
The greatest land under the sun.●

**THE ANSONIA CHARGERS:
CROWNING A WINNING TRADI-
TION**

HON. WILLIAM R. RATCHFORD

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. RATCHFORD. Mr. Speaker, I rise today to call the attention of my colleagues to the extraordinary accomplishments of the Ansonia Chargers, the best high school football team in the State of Connecticut.

Ansonia High School may be one of the smallest high schools in Connecticut, but only if one judges by numbers and square feet. In the realm of sport, the school is surely a giant. The heart and drive and effort of this school and its football team can really only be measured by looking at their deeds, accomplishments that stand unmatched anywhere in the State.

The Chargers are consistently one of the State's finest and are the only high school team to make the State playoffs every year since 1976 when the current system began.

This year, the Chargers earned an 11-0 record, including a 32-0 victory in the class S championship. In addition, the Chargers led the Naugatuck Valley League, a league in which football rivalries are legendary.

Mr. Speaker, I attended several of the Charger's games this year, as I do every year, and I can personally attest to the winning tradition of the Chargers. Coach Bill McAllister and his assistants John Hunt, Jim DellaVolpe, John Sponheimer, Bob Lisi, and Frank Colandro all deserve special mention for their dedication, and for the professional way in which their players conduct themselves. The Charger players also deserve the accolades they have earned for their mastery of the game and the way in which they have dominated their opponents.

I am not surprised that Connecticut sportswriters named the Chargers the No. 1 high school football team in the State. They are No. 1, and it is not a distinction that they will relinquish easily. I am sure that the Ansonia High School Chargers will be a power to be reckoned with for a long time to come.●

**McKITTRICK RUNNERS BEAT
ODDS**

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. THOMAS of California. Mr. Speaker, very few people outside of Kern County have heard of the town of McKittrick, Calif., but recently some young constituents from McKittrick succeeded in putting their town on the map. This group of young athletes attained national excellence against huge odds.

On December 12, 1983, six girls from McKittrick Elementary School traveled to the AAU National Cross-Country Championships. Teams from across the Nation competed at this event, in hopes of becoming one of the top teams in the Nation.

The runners for the McKittrick Westside Track Club—Amy Mabon, Jennifer Yeates, Kristen Phillips, Mary Mabon, Amber Collins, and Shawna Walters—placed third in the Nation in this event. This feat in itself is commendable, but this club had other odds to battle as well. Led by Coach Ken Mabon, the Westside Track Club competed against schools and clubs many times the size of their school—in fact, larger than the entire town of McKittrick. The six runners represented almost the entire fourth and fifth grades of McKittrick Elementary School, which has a total enrollment of 40 students. Yet, with perseverance, dedication, and talent, the Westside Track Club rose to national excellence.

Mr. Speaker, these girls and their coach deserve the highest commendation for their tremendous efforts and achievements, and I am tremendously proud of them.●

**RADIO ADDRESS BY HON.
ROBERT T. MATSUI ON THE
U.S. MARINES IN LEBANON**

HON. JAMES M. SHANNON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

Mr. SHANNON. Mr. Speaker, on January 7, 1984, my colleague from California, Mr. MATSUI, delivered an excellent radio address that explored the question of U.S. Marine forces in Lebanon. After examining the situation there closely as part of the monitoring group on Lebanon, Mr. MATSUI believes it is again time for Congress to consider our objectives in Lebanon, and whether they are realistic ones. I would like to submit his thoughtful speech on the subject, knowing it will

help us as we begin to address this issue.

Also included is an article from the New York Times:

RADIO ADDRESS BY HON. ROBERT T. MATSUI

Good afternoon. This is Congressman Bob Matsui from California. We have just heard the President discuss a critical problem: the lack of discipline in our public schools. But what the President doesn't seem to understand is that this lack of discipline is only a symptom of the deteriorating state of this country's educational programs, including cuts in the school lunch program, student aid program, and the President's attempt to eliminate the Department of Education.

Today, I would like to turn to another crisis, however. We have just learned that two more marines were injured as a result of shelling around the Beirut airport. I believe it is time to bring our marines home from Lebanon. Not tomorrow. Not at some vague distant date. But now.

For the truth is, the President's ill-conceived and ill-defined Middle East policies have more than failed; they have turned deadly.

While I supported our marines' role as initially defined—to give the Lebanese government time to restore its shattered nation—we are now seen by too many people as just another Middle East faction. Our role has turned from neutral peacekeepers to participants in the internal struggle. The marines have no useful role in helping to bring the warring factions together. Worse yet, so long as the marines remain, we risk a direct confrontation with Syrian and Russian troops.

So long as all factions in Lebanon accepted our marines as neutral peacekeepers, they had some chance of promoting a permanent solution. But it has become painfully clear—with the recent bombing of our marine barracks and frequent shelling of our troops—that we are no longer a peaceful influence. We are a lightning rod for terrorism.

We should not be perceived as cutting and running from Lebanon because of the bombing of the marine barracks. That would send a signal that America can be intimidated, but we cannot be. We all recognize the strategic importance of the Middle East, and we must always be prepared to use military force to protect our interests in that region.

But today, our military response to terrorism has plunged us into a storm of escalating violence. I believe we can calm that storm and further the peace process by withdrawing our troops from Lebanon.

If you sit and think about it for just a moment, we have only two alternatives. We can continue as we are now, taking sides in a conflict that is not ours and playing an active military role. This can only escalate the conflict and bring us dangerously close to a Soviet-American confrontation. Or, we can work toward a diplomatic solution that all parties—including the Lebanese and the Syrians—can embrace.

Just this week, we witnessed a bold diplomatic effort which brought one of our men home, Navy Lieutenant Robert Goodman. Lieutenant Goodman's release revealed that personal diplomacy can make a difference. He was not released by gun ships and war planes but by calm discussion.

A recent Pentagon report, written by top military experts, concluded that not only has there been gross negligence in securing the safety of our marines, but also that our mission there is inherently impossible. This

is not the fault of our marines. It is the fault of this administration.

The first step toward peace is to bring our men home and defuse the hostilities in Lebanon by changing the American profile from one of a marine with an M-16 to a diplomat with a real mission.

In recent hours, we have learned of progress toward a new security arrangement in Lebanon designed to extend the control of the Lebanese government. We hope that this new proposal succeeds. This is the time for the president to use a bold diplomatic stroke to achieve a lasting peace. What we need is a sign from this president that he is serious in reaching a diplomatic solution. And the demands the participation by the secretary of state or the vice-president. Certainly, there would be political risk on the part of this president by taking such a bold move. But our brave marines are risking much more—their lives. They deserve the utmost sacrifice from this administration.

And let us not forget that moving our Marines to another area in Lebanon will not make them any safer. We all know that no place in the Middle-East is safe from a terrorist. Our men are being killed, not because of where they are, but because of who they are. Mr. President, get our people out of a war we did not create, and let our diplomats use reason, trust, and bold action to bring peace to the Lebanese people, and peace-of-mind to the families of our marines.

This has been Congressman Bob Matsui. Thank you and peace be with you.

[From the New York Times, Jan. 7, 1984]

HOUSE DEMOCRAT ASKS A PULLOUT

WASHINGTON.—Representative Robert T. Matsui, chosen by the House leadership to give the weekly Democratic radio address, called today for the immediate withdrawal of United States troops from Lebanon, saying President Reagan's "ill conceived" policies had "turned deadly."

"It is time to bring our marines home from Lebanon," the California Democrat said. "Not tomorrow. Not at some vague distant date. But now."

Mr. Matsui, a member of Speaker Thomas P. O'Neill, Jr.'s monitoring group on Lebanon, went further in advocating an immediate withdrawal than had Mr. O'Neill, after meeting with the group last Tuesday.

Mr. O'Neill had said that "patience in Congress with Administration policies in Lebanon is wearing very thin" and that "maintaining the status quo position of our marines in Lebanon is unacceptable." But he also said Democrats wanted to give Mr. Reagan an opportunity to undertake new diplomatic efforts before trying to force his hand.

In an interview today after his radio address, Mr. Matsui said the Speaker was "fully aware of my position for an immediate pullout when he asked me to speak." Mr. Matsui agreed that his own statement had gone farther than Mr. O'Neill's, but said he did not know whether the Speaker now agreed with him.

"I can't speak for him," Mr. Matsui said, referring to Mr. O'Neill. Efforts to reach Mr. O'Neill or members of his staff today proved unsuccessful.

Mr. Matsui said he believed that Lebanon would be made "the top priority" when the Congressional session opens.

"The first step toward peace is to bring our men home and defuse the hostilities in Lebanon by changing the American profile from one of a marine with an M-16 to a diplomat with a real mission," Mr. Matsui said

in his address, terming the Marines a "lightening rod for terrorism."

QUALITY EDUCATION IS ALIVE AND WELL AT NEW TRIER HIGH SCHOOL

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. PORTER. Mr. Speaker, many Americans have grown concerned over the deteriorating quality of our public schools. I am hopeful that this educational crisis has triggered a trend toward greater expectations of our public schools, students, and teachers. Rather than focus my concern on problems, however, I would like to call attention to a school located in my congressional district which I consider to be second to no other secondary school in the country. Recently, Parade Magazine conducted a national survey on high school educators which confirmed my esteem for the New Trier school system by listing it among the top 15 high schools in the country. I hold up its tradition of success to my colleagues as an outstanding example of the best of American public education.

New Trier's long tradition of scholastic excellence is founded in its commitment to a rigorous academic program, maintained by a well-qualified faculty and supported by the parents and community. The school places emphasis on rigorous but balanced curriculum of math, science, humanities, and social sciences. These subjects are the cornerstone of a New Trier education. Moreover, the core curriculum is supplemented by new and progressive electives that allow the student to build upon the fundamentals that he or she has learned and develop creativity and imagination. Consequently, the strength and diversity of New Trier's educational programs are buttressed by traditional disciplines of the past while embracing the new ideas of the future.

Another important feature of New Trier is an advisory system that has served as a model for high schools both in Illinois and in other States. The advisory program links a teacher with 30 students in an effort to help guide them through their academic and extracurricular affairs. During the freshman year, informal visits by the adviser to the homes of each of his advisory students is encouraged. These visits help lower the barrier between parents, students, and teachers which binds the school to the home and the community, a condition which I consider to be the most important prerequisite of an excellent school. Moreover, these home visits represent New Trier's commitment to the dignity of

the individual which often fosters student-teacher friendships that go beyond 4 years of high school.

The results of New Trier's commitment to excellence has placed the school in the top 15 public high schools in the Nation. In this year alone, 238 New Trier students received awards as Illinois State Scholars, 72 students were awarded National Merit Scholarships, and 7 students received the prestigious Presidential Scholar Award. Those who have qualified for the National Merit Award are among the highest in the PSAT/NMSQT test scores in the State and represent the top half of 1 percent of this year's senior class. But this is only a small part of New Trier's academic success. The math team each year ranks high during national high school competition. Furthermore, various academic clubs including biology, debate, and Latin enjoy a very high level of participation by students and teachers alike. Each year, over 90 percent of the seniors graduate and move on to higher education, a significant indicator of future success.

It is clear that New Trier's pursuit of academic achievement has been met each day for over 80 years. Strong administrative leadership and a dedicated faculty deserve great credit for New Trier's achievement. It is the parents and community that have shared the common goal of providing the best education for their sons and daughters. New Trier deserves praise for this endeavor well done.●

ASIAN COMMUNITY NURSING HOME

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. MATSUI. Mr. Speaker, for many years the Asian Community Nursing Home has been a major goal of some highly dedicated, concerned, and caring people living in Sacramento, Calif. In fact, if not for the tireless commitment of these individuals and the gracious and thoughtful gift of one in particular, Mr. Angelo Tsakopoulos, it is entirely possible that this very worthwhile project would not become a reality.

Mr. Speaker, when the Asian Community Nursing Home is completed, it will be of enormous benefit and importance to Asian senior citizens. The plans are for a 99-bed skilled nursing facility designed to serve the unique needs of Asian and Pacific islanders. The facility will employ a bilingual staff and meet the special dietary needs of its patients. Moreover, patients in the home will not only receive excellent care but cultural and social support as well.

The Asian Community Nursing Home is the culmination of years of planning and work by the Asian Community Center, a nonprofit organization that has been providing special services to Asians since 1972. For the past 3 years, the nursing home has been the top priority of this group.

Mr. Speaker, when Mr. Tsakopoulos donated 3.5 acres of land to the Asian Community Center for the building of the nursing home, there became little doubt that the project was going to be a success. On behalf of the Sacramento community and Asian senior citizens, I would like to express my heartfelt thanks and appreciation to Mr. Angelo Tsakopoulos and the Asian Community Center for the tremendous service they have performed in furthering such a worthwhile project.●

ARCHBISHOP IAKOVOS: A MAN FOR ALL SEASONS

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. BILIRAKIS. Mr. Speaker, a large part of our great American tradition has been our right to express religious belief—something which is one of the founding principles of our Nation.

This expression is manifested in several dimensions, but, perhaps the most dynamic aspect of these has been in the personalities of certain distinguished leaders.

If we were to sit and ponder for a moment, we might remember such individuals as the Reverend Jno. Witherspoon, a signer of the Declaration of Independence, Brigham Young, Elizabeth Ann Seton, Cardinal Spellman, as well as several of our own Presidents who distinguished themselves as people of deep religious belief.

And now, another individual, can be added to the list of unique and respected leaders. This person is His Eminence, Archbishop Iakovos, chief primate of the Greek Orthodox Church in the Western Hemisphere.

I could expound on the many attributes of this man of God, since I myself am a Greek Orthodox and am familiar with his accomplishments as a spiritual leader. I would, though, prefer to highlight some of the other significant qualities that are a part of his life.

For close to 50 years His Eminence has served his church and humanity, as a clergyman of the Orthodox Church. For the past 25 years he has served as spiritual leader for the Greek Orthodox faithful of the Western Hemisphere. His has been a life of commitment, dedication and sacrifice—a triad of qualities that, unfortu-

nately, are much too rare in this day and age.

One of the most important aspects of the ministry of Archbishop Iakovos is his activity in the ecumenical movement. His successful strides to overcome centuries-long taboos and antiquated national customs have been an inspiration to the millions of Christians throughout the world. His efforts to reunite the segmented branches of the Christian Church have brought once-unwilling parties to the table for discussions and cooperation. He was an initiating factor in establishing the dialog that now exists between the churches of the East and those of the West—a dialog that has ended a silence of hundreds of years.

He evidenced the principles of his faith by having been in the forefront of the civil rights movement, as he marched with the late Dr. Martin Luther King, Jr. in Selma, Ala. in 1965. By doing this, he reaffirmed the words of the Declaration of Independence, "that all men are created equal." His efforts in behalf of human rights has not been limited to his mission in the United States. In 1974, when the island of Cyprus was invaded by Turkey, Archbishop Iakovos initiated a massive national campaign to assist the innocent Cypriot victims. Since that time, he has been outspoken against the policies of Turkey and, because of this boldness in the name of justice, he is considered as "persona non grata" in that country.

Archbishop Iakovos has been the recipient of many awards and honors, including the Presidential Medal of Freedom, and has been named "Clergyman of the Year" and also "Man of the Year" by several national organizations.

April 1 of this year will mark the 50th anniversary of his entry into the Orthodox clergy and it will also be the 25th anniversary of his enthronement as Archbishop of the Western Hemisphere. Today he offers the invocation in the U.S. House of Representatives and Senate, an honor that he has rightly earned, and I would say that he does us an honor in so doing.

As we enter the new year and this second session of the 98th Congress, I am proud to recognize the wonderful and giving life of Archbishop Iakovos and certainly hope that my colleagues will join in the many ceremonies and tributes in his honor.●

DAYS OF REMEMBRANCE OF VICTIMS OF THE HOLOCAUST

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. GREEN. Mr. Speaker, I am introducing a House concurrent resolu-

tion which would authorize the rotunda of the U.S. Capitol to be used on April 30, 1984, for a ceremony commemorating the Days of Remembrance of Victims of the Holocaust.

Historically the rotunda has been used to fortify the memory of those whose lives, and deaths, have had resounding impact—unknown soldiers from World War I, World War II, and the Korean war have lain in state in the rotunda.

It therefore seems particularly appropriate that the Holocaust Commission commence its days of remembrance in the rotunda, a space which has become a symbol of those whose deaths we must remember to insure that our future does not repeat our past.●

CRITICISM OF THE DEPARTMENT OF THE INTERIOR

HON. JOHN McCAIN

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. McCAIN. Mr. Speaker, the Department of the Interior, and those policies pursued by its past Secretary, have been the subject of much criticism. The press has led the attack on the Department and the former Secretary. I find nothing wrong with this. In fact, it is their role in our society to keep the public informed of the actions of their elected officials. However, it is also the responsibility of the press to insure the accuracy of their reporting.

It is because of this responsibility, which the press usually attempts to fulfill, that I was shocked to learn of the irresponsibility of one of our major television networks. I can accept occasional mistakes. But when these mistakes are repeated, even after accurate information is made available through the congressional hearing process, they become unacceptable. I have included below a recent article from the American Legal Foundation which elaborates on this incident.

Prime-time investigative documentaries have given muckraking new respectability, but that respectability is facing legal accountability. Not only are media victims, such as General Westmoreland, taking the media to court, but media watchdog groups such as the American Legal Foundation (ALF) are aggressively exposing media bias. ALF, for example, recently dragged NBC before the Federal Communications Commission charging NBC deliberately falsified the news, misled the public and distorted the truth in a "Monitor" segment which accused the Interior Department under former Secretary James Watt of not enforcing stripmining reclamation laws.

The "Monitor" segment was broadcast twice. Between the broadcasts the Interior Department's Office of Surface Mining (OSM) sent NBC a twenty-three page critique of the segment and Congressional hearings were held which produced testimony

indicating the Interior Department. But NBC went ahead with the second broadcast without acknowledging any errors or inaccuracies. Here are some of the more blatant misstatements ALF's Complaint points out to the FCC:

The program was devoted to developing Lloyd Dobyns' opening statement: "[T]he government—and that's you and me—is owed a great deal of money from stripmining and the Interior Department is doing next to nothing about collecting it."

But OSM's critique of the first broadcast described in detail the extensive efforts made by the Department to enforce the reclamation laws. These efforts included development and implementation of a plan for assessing penalties against those mining companies which had violated failure to abate cessation orders, the use of Dunn and Bradstreet to collect reclamation fees, pursuance of other expeditious enforcement actions, and the referral of all unpaid penalties to the Interior Department Solicitor for the filing of civil collection suits. In a reply to OSM's critique NBC explicitly acknowledged OSM's actions "to correct and strengthen the collection efforts."

Yet NBC with full knowledge of these efforts rebroadcast the accusation that the Interior Department was "doing next to nothing to collect unpaid fines."

In the August rebroadcast Dobyns stated: "[T]he Office of Surface Mining told Congressman Morris Udall's committee that it had issued 1700 orders to mining companies to stop illegal activities. Not one has stopped. And the Interior Department has done nothing about it."

But OSM informed NBC prior to the rebroadcast that during the Udall Subcommittee hearings, James Harris, Director of OSM, testified OSM had issued 3,500 cessation orders during the course of its existence and that the violations set forth in only 1700 of these orders remain unabated. Harris' testimony also described the steps Interior had taken to abate the 1700 remaining violations. These steps included denying permits to operators having unabated violations, granting almost \$200 million to the states during 1983 to reclaim abandoned mines, initiating litigation against mine operators who failed to abate their violations, and obtaining injunctions against recalcitrant mine operators. NBC acknowledged it was aware of the efforts described in this testimony by its specific reference to the testimony in the August 6th broadcast.

Dobyns stated in both broadcasts: "[T]he regulations can't be kept going because they aren't going now. They're on the books but they're not enforced."

Three people, one of whom accused the Department of "fraud" for not pursuing violators, then stated that the non-enforcement problems started with the Reagan administration. But NBC knew an October 1979 evaluation prepared by OSM's Division of Planning and Evaluation Systems under the Carter administration had found: "At the present time, no effort is being made to assess penalties that accumulate on a daily basis. No effort is being made to collect these penalties because, the Assistant Director, Inspection and Enforcement, believes that: (1) the penalties are excessive; (2) are unlikely to be collected; and (3) do not fit the circumstances of most violations."

"Additionally, the Assistant Director also believes that daily penalties do not serve the intended purpose of getting operators to abate because in his opinion, operators know OSM would never be able to collect."

NBC also knew that since September 1982 Dunn and Bradstreet had collected more than \$1.3 million and that Interior Department under Watt collected about \$330 million annually in reclamation fees which represents in excess of 98 percent of the fees owed.

NBC, as owner of several television stations, is answerable to the Federal Communications Commission for violations of Commission policy and rules. Accurate investigative reporting is a healthy expression of the First Amendment, but when that reporting, as in this case, is not supported by facts it becomes a vicious tool for those of the media elite who seek to push their political agenda in the guise of objective reporting.●

U.S. AID TO EL SALVADOR: A TRAVESTY

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Ms. OAKAR. Mr. Speaker, the House is considering today the President's certification that the Government of El Salvador is making progress with regard to respect for human rights and certain political and economic reforms. This is an issue that has long concerned me and that I want to make a few comments on as we address the question of continued U.S. military assistance to El Salvador.

I am very concerned about what happens to U.S. aid to El Salvador. I have long suspected that much of it does not go to help the people of that small, beleaguered country but that it, instead, goes to line the pockets of businessmen and El Salvador officialdom. Now my suspicions are confirmed.

Mr. Speaker, I would like to bring to the attention of the House an article that appeared in the Cleveland Plain Dealer on January 22, 1984, that describes in detail the use of dummy companies and falsified economic documents to siphon U.S. economic aid to El Salvador into the private bank accounts of El Salvador businessmen. This is absolutely outrageous. The United States is ostensibly trying to help the Government and people of El Salvador to preserve their freedom. The corruption the Plain Dealer documents is contrary to our avowed aims.

With the U.S. budget deficit growing larger and larger each year, it is inexcusable that the administration tolerates the corruption and waste described in the article. The article raises very serious questions that this body should closely examine as it debates whether to approve the President's certification that El Salvador is making progress in preserving human rights and undertaking required economic reforms.

Following is the article:

[From the Cleveland Plain Dealer, Jan. 22, 1984]

SCAMS UNDERCUT U.S. AID TO SALVADOR
(By Amos A. Kermisch)

WASHINGTON.—Through the use of dummy companies and falsified documents, U.S. economic aid to El Salvador often ends up right back in America—in the private bank accounts of Salvadoran businessmen.

Since at least 1981, officials at the U.S. Agency for International Development (AID), which dispenses the money, have been concerned enough to insist that the Salvadoran Central Bank take steps to stop the transfer of funds.

A little-noticed 1982 audit of bank procedures by AID's inspector general said "no concrete actions" had been taken. A 1983 review by the inspector general found little improvement.

A confidential study by the accounting firm of Arthur Young & Co. for AID cited the transfers as a problem.

This hypothetical example shows how the scam works:

A Salvadoran businessman applies to the Central Bank to import fertilizer. When the application is approved he buys \$100,000 in fertilizer in the United States through a dummy U.S. corporation.

The dummy corporation inflates its invoice, perhaps by 20%, and sends it to the businessman. The invoice, which now says the fertilizer cost \$120,000, is given to the bank. The businessman buys U.S. dollars with Salvadoran colones at 2.5 colones to \$1, and the U.S. funds are forwarded to the dummy company in payment for fertilizer.

Once the money is in the hands of the dummy U.S. corporation, \$100,000 pays for the fertilizer while \$20,000 goes into the Salvadoran's private bank account.

Exactly how much of the \$429 million granted to El Salvador by AID since 1979 has been siphoned off is unclear, but William C. Goodfellow of the Center for International Policy, who was in El Salvador studying AID programs, said the fact that it's happening "is common knowledge."

Highly favorable exchange rates at the Central Bank are one reason U.S. funds are attractive to Salvadorans. Businessmen dealing with the bank obtain dollars at 2.5 colones to the \$1. In the United States the rate of exchange quoted by one dealer last week was 4.75 colones to \$1. The street rate in El Salvador is about 4 colones to \$1.

To qualify for U.S. economic support funds, El Salvador was required to guarantee it would spend a like amount in colones to restore public services destroyed in the civil war. The funds are used for job programs, housing, land reform, family planning and credit to Salvadoran businesses.

In many instances the Salvadorans fall short of projected goals in supporting these programs, the inspector general's audit found.

"There is great incentive to get the money out of there and very little incentive to keep it there," said Goodfellow.

Some AID officials, however, said questionable transfers are rare. "We have audited that program several times, we have done spot checks and we have found no significant problems," said an AID official in the U.S. embassy in San Salvador. "It's this very system of controls that makes it difficult to engage in capital flight."

AID required the Central Bank to establish an internal price-checking unit to identify inflated invoices and reject them. But the effectiveness of the unit has been questioned. An audit by AID's inspector general

found that in 1982 the bank approved 73,268 import transactions.

Only 112 (0.15%) were reviewed by the three-man price-checking unit. Of those, 20% were based on inflated invoices.

The audit found Salvadoran control so weak the bank was operating without a complete price list of key imports needed for price verification.

A February 1982 review by AID officials found that \$4.5 million in bank-approved transactions may have been overpriced by 15% to 20%. These transactions were rejected by U.S. officials.

The confidential Arthur Young study came to similar conclusions, sources said, and made a number of suggestions for improving Central Bank operations. At least some of these recommendations, including a computerized price-checking system, are to be adopted.

With Henry Kissinger's commission suggesting last week that \$8.4 billion more in economic aid go to Central America, the intensity of the debate over the use of U.S. tax dollars, particularly in El Salvador, is sure to increase.

At least one congressional committee is reviewing the use of U.S. funds throughout Central America.

But Congress has concentrated its oversight on military aid to El Salvador, while administration economic aid requests have sailed through Congress easily. For instance, Congress approved the requested \$195.5 million for economic aid in fiscal 1984, but cut by nearly 25% a request for \$86.3 million in military assistance.

From the end of World War II until 1979, total U.S. aid to El Salvador was only \$263.5 million. In the four years since then it has leaped fourfold to \$1.1 billion, making El Salvador the third-largest recipient of U.S. largesse. President Reagan is expected to seek another \$400 million in military aid over the next two years.

Without the injection of U.S. grants and long-term loans there is little doubt the Salvadoran economy would have collapsed. From \$750 million to \$1.5 billion has been transferred out of the country during the past five years by wealthy Salvadorans fearful of a Communist takeover, U.S. and Salvadoran officials estimate.

The guerrillas have sought to destroy the Salvadoran economy. Violence has cut electricity, closed factories, disrupted business, interrupted transportation, undermined farm production and dislocated thousands of rural families.

AID policy is to stabilize the economy by maintaining imports, underwriting employment, rebuilding roads, bridges and public utilities and supporting social programs such as land and judicial reforms.

Very little U.S. money is used to help more than 400,000 people displaced by the fighting, many of whom live in refugee camps.

"We don't want camp life to become so attractive that people will not want to go back home," an AID official said.

AID officials said the country's gross national product, which has declined 25% since the civil war began in 1979, stabilized in 1983 and may show some growth.

"That's the bottom line," said the senior AID official in the U.S. embassy in El Salvador. ●

**SECONDARY MARKET FOR SBA
GUARANTEED LOANS**

HON. HENRY J. NOWAK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. NOWAK. Mr. Speaker, dramatic changes are taking place in the capital markets of this country. We are in the era of bank deregulation, the so-called nonbank bank, and the financial services supermarket. These revolutionary changes should have a dramatic impact on the way smaller firms meet their debt and equity capital needs.

With these dynamic changes occurring in the financial markets, it is the responsibility of the Congress and the administration to insure that small business continues to have access to debt capital at reasonable cost. Based on that premise, I am introducing H.R. 4773, legislation to facilitate a vibrant secondary market for the SBA guaranteed loans. Joining me as original cosponsors on the bill are Representatives LYLE WILLIAMS, PARREN J. MITCHELL, BERKLEY BEDELL, CHRISTOPHER H. SMITH, DENNIS E. ECKART, TOM J. VANDERGRIF, DAVID DREIER, BUDDY ROEMER, IKE SKELTON, JOHN J. LAFalce, JAMES R. "JIM" OLIN, and C. ROBIN BRITT.

OBJECTIVES OF THE LEGISLATION

My legislation utilizes the basic SBA guaranteed loan program as its foundation. Authorized by section 7(a) of the Small Business Act of 1983, the guaranteed loan program enables commercial lenders to make long-term loans to smaller firms that otherwise might not be available. Through the 7(a) guarantee loan authority, small businesses have received over \$12.4 billion in financing over the past 5 years. In fact, a recent General Accounting Office report states:

The SBA's 7(a) loan program fills a worthwhile niche in assisting many new and existing small businesses to meet their credit needs and thereby provide jobs.

As chairman of the Subcommittee on Tax, Access to Equity Capital, and Business Opportunities, I held hearings on September 28, 1983, evaluating the operations of the secondary market for SBA guaranteed loans. Administration witnesses and representatives from the banking and securities industries testified at those hearings on the significance of a vibrant secondary market to the 7(a) program.

Based on that hearing and further investigation by my subcommittee, today I am introducing H.R. 4773. The legislation does not create any new Government programs. Instead, it merely provides for certain technical improvements in the operations of an existing division of the SBA, the Office of Secondary Market Oper-

ations. In essence, my bill recognizes the integral relationship of the secondary market to the 7(a) guaranteed loan program.

My legislation is being introduced today with two objectives in mind. First, it is designed to increase the flow of capital to the small business community. Second, it should encourage a lowering of the cost of borrowing to smaller firms.

THE OPERATIONS OF THE SECONDARY MARKET

In operation since 1972, the secondary market enables lenders to sell the guaranteed portion of an SBA loan to an investor. This provides the lender with an increase in liquidity and, as a result, enables it to make further loans to the small business community. Thus, the lender is provided with the opportunity of further leveraging the amount of debt capital available to small business in the marketplace. Moreover, the secondary market has encouraged lenders to make longer term and often larger loans than they could otherwise.

However, the secondary market for SBA loans is not widely utilized, nor has it reached its potential. One estimate suggests that less than 25 percent of 7(a) loans are currently sold through the operations of the secondary market. Nevertheless, this process has enabled financial institutions to increase their lending activity to small businesses by about \$400 million in recent years.

My legislation would build on the inherent strengths of the current SBA program. Thus, H.R. 4773 would insure that SBA secondary market operations continue to be an integral component of the capital formation process.

In order to establish a more active marketplace, the bill would permit the pooling of SBA guaranteed loans in large homogeneous certificates. These "pooled loans" could then be offered to institutional investors in an analogous way to the operations of the secondary market for mortgages. The economies of scale of such a procedure could potentially offer the small business lower borrowing costs.

The second major provision of H.R. 4773, is designed to facilitate a more effective oversight of the SBA secondary market program itself. This provision mandates that the SBA Administrator develop such administrative procedures as are necessary for the promotion and effectiveness of the program.

For the benefit of the small business community, and of the Congress, the legislative language of H.R. 4773 is as follows:

H.R. 4773

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 5 of the Small Business Act is

amended by adding at the end thereof the following new subsection:

"(1)(1) The Administrator may, upon such terms and conditions as the Administrator may deem appropriate, guarantee the timely payment of the principal of and interest on such trust certificates or other securities as shall—

"(A) be issued by any person approved for purposes of this subsection by the Administrator, and

"(B) be based on and backed by a trust or pool composed of the portions of deferred participation loans and guaranteed loans which have been guaranteed by the Administrator under this Act or title V of the Small Business Investment Act of 1958.

"(2) Such trust certificates or other securities shall have such terms, conditions, and maturities, and bear such rate of interest, as the Administrator shall determine.

"(3) The full faith and credit of the United States is pledged to the payment of all amounts which may be required to be paid under any guarantee under this subsection.

"(4) The Administrator shall collect from the issuer a reasonable fee for any guarantee under this subsection and shall make such charges as he may determine to be reasonable for the analysis of any trust or other security arrangement proposed by the issuer.

"(5)(A) In the event the issuer is unable to make any payment of the principal of or interest on any certificate or security guaranteed under this subsection, the Administrator shall make such payment as and when due in cash, and thereupon shall be subrogated fully to the rights satisfied by such payment.

"(B) The Administrator may, in connection with any guarantee under this subsection, whether before or after any default, provide by contract with the issuer for the extinguishment, upon default by the issuer, of any redemption, equitable, legal, or other right, title, or interest of the issuer in any loan portion constituting a portion of the trust or pool against which the guaranteed certificates or securities are issued.

"(C) With respect to any issue of guaranteed certificates or securities, in the event of default and pursuant otherwise to the terms of the contract, the portions of the loans which constitute such trust or pool shall become the absolute property of the Administration subject only to the unsatisfied rights of the holders of such loan portions.

"(D) No State or local law, and no Federal law, shall preclude or limit the exercise by the Administration of—

"(i) its power to contract with the issuer on the terms contained in subparagraph (B),

"(ii) its rights to enforce any such contract with the issuer, or

"(iii) its ownership rights, as provided in subparagraph (C), in the portions of loans constituting the trust or pool against which the guaranteed certificates or securities are issued.

"(6) The Administrator shall develop such procedures as are necessary for the facilitation, administration and promotion of secondary market operations.●

HEARINGS ON NATIONAL CULTURAL POLICY OF THE CONGRESSIONAL ARTS CAUCUS AND THE AMERICAN COUNCIL FOR THE ARTS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. LANTOS. Mr. Speaker, on Saturday February 4, our distinguished colleague Mr. DOWNEY, who is also the chairman of the Congressional Arts Caucus, held hearings in San Francisco on our national cultural policy. I applaud the Congressional Arts Caucus and the American Council for the Arts for organizing these hearings. The topic is an important one that deserves our thoughtful attention.

During that hearing, I submitted testimony about the National Art Bank and other issues relevant to the hearing. Since I have received a number of inquiries about the National Art Bank, Mr. Speaker, I would like to include that testimony here to inform my colleagues about the Arts Bank.

TESTIMONY OF CONGRESSMAN TOM LANTOS AT THE HEARINGS ON NATIONAL CULTURAL POLICY IN SAN FRANCISCO

Mr. Chairman, I am delighted to have this opportunity to present my views on our national cultural policy. But first I would like to thank you personally, Chairman DOWNEY, for your interest in and support for the arts. The Arts Caucus is an important institution in increasing the awareness of the Congress with regard to issues of cultural policy, and your leadership of the Caucus has been important in drawing attention to arts issues within the Federal Government. I have been a member of the Caucus since 1980 and am pleased to join with you and other members of the Congress in this effort.

I would like to commend the American Council for the Arts and the Congressional Arts Caucus for conducting these hearings. Federal government policies and activities have a profound impact upon our cultural life, and it is essential that we focus our attention on what Washington can do to enhance and stimulate our cultural activities as a nation.

The arts have always been a legitimate and important interest of our federal Government. Interest in nurturing the arts was already expressed by the statesmen who helped to establish our country. President John Adams said, "I must study politics and war, that my sons may have the liberty to study mathematics and philosophy . . . to give their children the right to study painting, poetry, and music." Our creation of the National Endowment for the Arts is a fulfillment of this traditional American goal. Many federal buildings today bear the fruits of the depression-era Government support for the arts, and the murals produced during that period are a particularly important expression of the creative American spirit.

Mr. Chairman, I would like to discuss today a particular piece of legislation that I was pleased to introduce in the Congress

last year. The bill is H.R. 2303, the National Art Bank Act, which will serve the twin purposes of carrying on the traditions established in Congress of enhancing the appearance of Federal office buildings around the country with works of art, while simultaneously stimulating activity in the arts community in all fifty states.

The Art Bank would purchase high quality art from relatively unknown artists, then temporarily distribute it for the enhancement of federal buildings throughout the country. As the experts from the Humanities Council focus interest on these artists and their art works there is every expectation that the reputation of the artist will grow as he or she becomes better known and therefore the art will become more valuable. Works purchased at relatively modest price can then be resold at a profit. The proceeds of these resales would then not only cover the original expense but could be placed in the Art Bank to be used to continue supporting other artists and encourage artistic creativity across the nation.

There are so many artists from around our country who do outstanding work, but who, due to geographical isolation or other such factors unconnected with talent, are not as well known. The Art Bank legislation would greatly benefit such artists, as well as enhance otherwise bleak environments.

A number of my colleagues in the House of Representatives have joined me in cosponsoring this important bill, and my good friend Senator Claiborne Pell introduced an identical piece of legislation in the Senate. I will continue to work in the House of Representatives for the passage of this most important piece of legislation.

In conclusion, Mr. Chairman, I would like to share with you some of the programs we have sponsored in the 11th Congressional District of California to foster and encourage the arts. As public officials, I think it is our responsibility to foster and encourage artistic activity, and I have sought to do that in my District.

With the support and cooperation of the San Mateo County Arts Council, my wife and I have sponsored the Capitol Arts Program which now enters its third very successful year of bringing fine Peninsula art to the nation's capitol. Thousands of citizens from throughout the United States have had the unique opportunity to view winning entries from San Mateo County on display in our national Capitol in Washington.

As an outgrowth of my concern and respect for the rights of grandparents to have access to their grandchildren, I developed the Grandparents Arts Program. Grandparents and their grandchildren are being encouraged to participate in an art competition to display their special relationship in an artistic medium. Winners will be flown from San Francisco to Washington the Capitol to see their works of art on display at the Capitol.

I am also sponsoring a program to permit children from around the nation to participate in an art competition with winning entries to be displayed here in San Francisco during the Democratic National Convention in July 1984. Artwork from each participating Democratic Congressional district will be represented. This program will give students the opportunity to define in their works and images the values of democracy and liberty upon which this country is founded.

Mr. Chairman, I appreciate this opportunity to offer my views and hope that the

legislation which I have discussed and these other programs which foster the fine arts will be considered and publicized during the course of your hearings. ●

THE EXTENSION OF THE MORTGAGE REVENUE BOND PROGRAM

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. HAMMERSCHMIDT. Mr. Speaker, on December 31, 1983, authority expired for States and localities to issue tax-exempt bonds to finance single-family mortgages. The failure of Congress to pass reauthorizing legislation has seriously jeopardized the availability of housing for those who may have otherwise been unable to afford it, as well as taken away one of the most effective instruments in stimulating the housing industry.

State housing finance agencies have utilized tax-exempt financing mechanisms and Federal subsidies to lower the cost of housing for low- and moderate-income families for the past 25 years. In my home State of Arkansas, the Arkansas Housing Assistance Agency, through close cooperation with lending institutions, investment banking firms, realtors, and builders, has registered strong success in fulfilling this function.

Since 1978, the AHDA has enabled thousands of low-income families to purchase or rent decent, safe, and sanitary housing by making available roughly \$600 million that has assisted 11,500 households. In 1983 alone, the issuance of \$200 million worth of mortgage revenue bonds generated \$183.5 million in mortgages. Of that, approximately \$90 million went to the construction of new homes.

Since 1979, when I testified before the House Ways and Means Committee, I have opposed actions attempting to restrict the issuance of tax-exempt bonds for housing. In the 97th Congress, I cosponsored a measure modifying some of the act's most objectionable provisions. And upon the convening of the 98th Congress, I joined with several of my colleagues in cosponsoring a bill repealing the 1980 sunset provision of the Mortgage Subsidy Bond Tax Act. Further, I introduced my own bill to outright repeal the 1980 act.

Today, I reaffirm my dedication to seeing that this invaluable program stays intact, by introducing legislation that would revive mortgage revenue bond authority for 5 years, a period of time which will provide for continuity and stability in the program's operation. Further, this legislation assures continued congressional review of the program and allows adequate time for

a controlled demonstration of mortgage bonds and alternative mortgage cost reduction mechanisms.

I urge my colleagues to insist that speedy action be taken on this legislation. And although a 5-year extension is contained in the Tax Reform Act, I do not think this invaluable program should be held hostage to a large tax bill, one that has already been rejected once by this body due to objectionable provisions.

Experience with the bonds since 1980 has demonstrated the soundness of the legislative improvements and the continued effectiveness of the bonds in lowering homeownership costs. Studies by the General Accounting Office and the Congressional Budget Office have examined the bonds' operation closely.

In a 1983 GAO study, it was reported that in the first 6 months of 1982, when mortgage rates were at record highs, mortgage bonds still served a majority of lower income buyers. Seventy percent of State borrowers and 64 percent of local borrowers had incomes below 120 percent of the median. The CBO found that most States and cities it reviewed had imposed income limits on borrowers, in some cases as low as \$16,000, in efforts to assure the greatest possible participation by low- and moderate-income home buyers.

The Arkansas Housing Development Agency has reported that of the \$183 million in available mortgage money, 21 percent of the borrowers had family income below \$19,999 a year. This figure roughly corresponds to the 1983 Arkansas median family income of \$19,737.

Further, mortgage bonds' cumulative economic impact is impressive. Each \$1 billion in mortgage bonds provides financing for some 7,000 new homes and for an additional 14,000 existing units, generates 7,500 jobs and \$140 million in wages, and results in \$62 million in Federal, State, and local taxes.

Most important of all is the continuing need for mortgage revenue bonds. Through the rest of the 1980's, the rate of household formation is expected to rise to new levels. Other Federal homeownership incentives, including tax deductions for mortgage interest and property taxes, are insufficient to lower homeownership cost to affordable rates.

Mortgage bonds can assist in offsetting cuts in Federal housing assistance for low- and moderate-income persons. As Federal assistance continues to dwindle, State and local government are faced with growing responsibility for meeting housing needs. Mortgage bonds are one of the few tools for direct housing assistance at the State and local level. Further, mortgage bonds give State and local govern-

ments greater flexibility than federal-ly constrained programs to respond to the diversity of local and regional needs.

The continuing use of tax-exempt bonds for mortgage programs will offer vital assistance to first-time homebuyers, those who otherwise would be forced to rent, and to help strengthen the effective, self-supporting State and local housing agencies across the Nation.

H.R. 4770

A bill to amend the Internal Revenue Code of 1954 to continue to allow mortgage bonds to be issued

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF MORTGAGE BOND PROVISIONS.

(a) IN GENERAL.—Subparagraph (B) of section 103A(c)(1) of the Internal Revenue Code of 1954 (defining qualified mortgage bond) is amended by striking out "December 31, 1983" each place such term appears in such subparagraph and by inserting in lieu thereof "December 31, 1988".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to obligations issued after December 31, 1983. ●

DEATH SQUADS AND HUMAN RIGHTS

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. WAXMAN. Mr. Speaker, by rejecting the Kissinger Commission's recommendation that Salvadoran aid be linked to human rights progress, the President has assured the right-wing death squads that they need expect no U.S. obstructions to their large scale acts of barbarism.

Over 30,000 Salvadoran citizens have been murdered by rightwing death squads since President Reagan took office. One in four Salvadorans has been displaced. It is impossible to calculate how many of these persons have sought refuge in the United States because they have no faith in their own government's ability or willingness to protect them.

Despite the obvious dangers of their return to El Salvador, the INS is deporting Salvadorans at the steady rate of about 350 a month. Of the 2,914 Salvadoran refugees who filed for asylum with the Immigration Service in fiscal year 1983, only 71 received it.

As long as the Salvadorans in this country face grave dangers at home, the United States is morally bound to offer them shelter until their return would be safe.

In an urgent message to the President in last week's Washington Post, the Southern California Interfaith Task Force on Central America pleads for humanitarian consideration of the

Salvadoran refugees. In addition to its broader recommendations on Central American policy, it urges the adoption of H.R. 4447, introduced by Representatives JOE MOAKLEY and JOEL PRITCHARD, to allow Salvadorans to stay in the United States until after the administration studies what their fate would be if forced to return.

I am inserting the task force's message into the CONGRESSIONAL RECORD for every Member's consideration.

AN URGENT MESSAGE TO PRESIDENT REAGAN FROM HIS SOUTHERN CALIFORNIA NEIGHBORS

DEAR MR. PRESIDENT: We watch with growing disbelief and horror as, step by step, this country moves deeper into the affairs of Central America. The Kissinger Commission now asks us to become massively committed to a policy which has already failed, and which condemns the people of Central America to increased suffering. We must not destroy Central America in order to save it.

We hear the same old arguments. When will we learn that wars are easier to start than to stop?

One billion dollars in aid has been poured into El Salvador during your Administration. Daily we spend over \$2 million in Central America. Now the Kissinger Commission recommends spending \$8 billion there in the next 5 years. We currently are actively financing the sabotage of the economy and the government of Nicaragua.

What do we have to show for our investment so far? Close to 1 million Salvadorans have fled to refuge or exile—20 percent of the population. Over 36,000 political murders of noncombatants, almost all by government related forces. In Guatemala, government repression has terrorized the population and over 1,100,000 have fled their homes. In Southern California we now have over 300,000 Central American refugees.

We say "enough"! We refuse any longer to stand silent witness to this betrayal of American decency and humanity.

We urge you to:

(1) Halt all U.S. military aid, show of force, covert operations and intervention in Central America;

(2) Reject the Kissinger Commission's emphasis on immediate aid for a military victory in El Salvador while playing down the possibility of a peaceful political solution. Instead, take the first steps to implement the peace initiatives proposed by the Contadora Group (Venezuela, Colombia, Mexico and Panama) for a negotiated political solution among all parties to the Central American conflict;

(3) Grant temporary asylum to Central American refugees until they can safely return to their homelands.

In particular, support S. 2131 and H.R. 4447 which call for a two to three year suspension of deportations of Salvadorans while a study on human rights conditions for returnees is conducted by you and considered by the Congress.

We request the opportunity to meet with you when religious leaders gather in Washington on March 19th and 20th to pray and witness for peace, justice, and self-determination in Central America. ●

THE RUSH TO MISJUDGMENT ON CRIME

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. EDWARDS of California. Mr. Speaker, the House of Representatives' Committee on the Judiciary will study with respect and care the crime bill enacted by the other body. But, as suggested in the below set forth editorial in the February 6, 1984 of the New York Times, the committee will "stick to measures that really fight crime."

THE RUSH TO MISJUDGMENT ON CRIME

A Senate eager to make an election-year display of fighting crime passed a 387-page measure last week. The Senate should have been content with the bill's laudable attempts to make sentencing more fair and uniform, to ease the confiscation of criminals' assets and to make additional Federal properties available to state prisons. Instead, it rode pell-mell over the Constitution by sanctioning "preventive detention" of unconvicted felons and rolled back the insanity defense by about 140 years of human understanding.

And still pending on the Senate's docket are other "anti-crime" bills that also threaten civil liberties. The worst of these would mangle the exclusionary rule, which prohibits the use of illegally obtained evidence in Federal trials. Though House members face even keener election-year pressures, they must now be looked to for a defense of American justice.

The Senate's bill would permit imprisoning "dangerous" defendants on the basis of nothing more than their inability to "prove" they won't commit a crime if released. That cures no known Federal crime problem. But it turns on its head the sound constitutional principle that defendants should be detained before trial only when there exists a reasonable fear that they will flee. Judges need no new law to deal with bail-jumpers.

In similarly overturning insanity defense, the Senate rashly misjudged the reason a jury may have misapplied it to acquit President Reagan's assailant. The main problem with the insanity defense now is that it requires the prosecution to prove sanity, an extremely difficult burden. But that could be corrected, as the Senate decreed, by requiring the defense to prove insanity.

But instead of stopping there, the Senate also reverted to the 19th-century notion that the only recognizable insanity should be a defendant's inability to distinguish right from wrong. That ignores an entire category of mentally ill people who may know what is right but are wholly incapable of controlling their actions. American law should be above blaming and punishing individuals who are so disabled.

Now the Senate is turning to a separate bill that would allow illegally obtained evidence to be used in Federal criminal trials whenever the judge finds the illegal search or seizure was committed in "good faith." That would obviously relax the pressure on law enforcement agents to observe the law and the Constitution. The bill is probably unconstitutional. Taking it up when the Supreme Court has important cases about the

exclusionary rule under advisement is perverse.

This is not the first time the Senate has acted hastily and unwisely on these issues. The House has so far shown a better sense of balance. Even in an election year, it is to be hoped the House will do its duty and stick to measures that really fight crime. ●

SOVIET INTENTIONS IN SOUTHERN AFRICA

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. PHILIP M. CRANE. Mr. Speaker, few Americans realize that the Soviets are actively engaged in a resource war to cut off America's access to the strategic minerals in Namibia and Southern Africa. There is a great deal more to the border war between SWAPO and the Territorial Forces of Namibia and South Africa than meets the eye. The Soviets have apparently selected Namibia, which has the largest uranium mine in the world, plus vast resources of other minerals, as the gateway to ultimate Soviet control of all the critical minerals in Southern Africa upon which U.S. national defense industries depend.

Ever since Soviet leader Leonid Brezhnev announced in 1973 that "Our aim is to gain control of the two great treasure houses upon which the West depends—the energy treasure house of the Persian Gulf and the mineral treasure house of Central and Southern Africa", the Soviets have been stepping-up their support for the SWAPO terrorists who are the surrogate forces seeking to take over Namibia from their protected bases in southern Angola.

If the Soviets are successful in gaining control of the critical minerals upon which the United States is now 100 percent import dependent, such as chromium and platinum, our technological capabilities will be seriously restricted. We will be subject to Soviet economic and diplomatic blackmail and will either have to pay exorbitant prices or be denied access to these minerals altogether.

The fact that the Soviets have supplied extremely sophisticated military hardware to SWAPO in recent months, such as 35 to 40 radar systems, a wide range of missile systems including the SA-3, SA-6, SA-8, and now for the first time the heat-seeking ground to air SA-9 missile system, suggests just how serious they are about their desire to control this region of the world. (The SA-9 is a new and quite effective weapon, a 3-foot heat-seeking missile launched from an armored vehicle and capable of striking an aircraft 8,000 yards away.)

The following article from a recent edition of the New York Times should

alert us to the grave nature of the Soviet threat in Southern Africa. I suggest that my colleagues take a few moments to carefully review it.

[From the New York Times, Jan. 29, 1984]

PRETORIA DISPLAYS NEW MISSILE CAPTURED IN ANGOLA

CAPE TOWN, Jan. 28.—The South African Army says that during its latest invasion of Angola it captured a new type of Soviet missile that it asserts has not been seen in the West in its entirety.

The ground-to-air SA-9 system was said to have been seized in a battle that started Jan. 2 in the town of Cuvelai, 125 miles north of the border between South-West Africa and Angola.

"This is the first complete system that has fallen into the hands of the West," Col. Julius Kriel, director of South African Air Force intelligence, said when the missile and its launching system was displayed to reporters here Friday. Colonel Kriel declined to say whether the missile system had also been shown to Western military attaches based in South Africa.

Correspondents were permitted to see the missile provided their reports about it were not published until Sunday morning. This was apparently intended to maximize the disclosure's impact in domestic politics.

The all-white Parliament is to begin its traditional no confidence debate Sunday and the opposition is expected to press the Government on the seriousness of what the authorities call a Soviet military buildup on the border.

Coverage of the missile in the South African press is seemingly intended to reflect this perceived threat. South African commentators suggested today that reports of the Soviet buildup were being promoted so as to justify increased military spending in the new budget next March.

Reporters were shown the missile and its amphibious carrier vehicle in a hanger at an air base. Western military specialists said recently that little was known about the SA-9, a three-foot-long, heat-seeking missile launched from an armored vehicle and capable of striking aircraft 8,000 yards away.

At a briefing before the missile was put on display, a military spokesman said the SA-9 was part of a "very sophisticated and extensive" system of air defenses in southern Angola, all of it Soviet-supplied.

Angola provides bases for insurgents from the South-West Africa People's Organization, which is fighting to overthrow South Africa's control of South-West Africa. South Africa mounts regular invasions of southern Angola, ostensibly to disrupt insurgent campaigns, and has been occupying parts of the former Portuguese territory for two years. The latest invasion began on Dec. 6 and South Africa says its forces have now withdrawn. Angola disputes this.

South African columnists and editorial writers have recently blamed the Government for the reported Soviet buildup in southern Angola, saying the frequent invasions had left the Angolan authorities with little choice but to increase the number of Cuban soldiers there and to seek more advanced arms from Moscow.

The military spokesman said Friday that the insurgents had "moved under the umbrella" of Angolan Army air defenses so as to prevent the South Africans from carrying out aerial reconnaissance.

In a rare public display of South Africa's purported knowledge about military dispositions in southern Angola, the military

spokesman said there were at least 35 to 40 radar systems in the area and a wide range of Soviet missiles including SA-3, SA-6, SA-8 and SA-9 weapons. Radar systems included those used to guide SA-3 missiles against hostile aircraft, he said.

Colonel Kriel said Western specialists had previously believed the SA-9 to be a modified version of other missiles. It now seemed, however, that it had been developed "specifically for a role" in low-to-medium-level surface-to-air defense, he said.

A rack carrying four of the missiles was mounted on a Soviet-made armored vehicle, which was also displayed. It was pushed into the hanger by a tractor. South African technicians had been unable to start its engine because, Colonel Kriel said, the instructions were written in Russian. Colonel Kriel said it had been abandoned in Cuvelai. It was not clear whether it had been manned by Cubans, Angolans or Soviet troops, he said. ●

FmHA ECONOMIC EMERGENCY LOAN PROGRAM

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. OBERSTAR. Mr. Speaker, the administration of the Farmers Home Administration (FmHA) economic emergency loan program and the refusal of the U.S. Department of Agriculture to provide farmers adequate credit assistance have caused substantial economic problems for our Nation's farmers.

I am today introducing a resolution expressing the sense of the House that the FmHA should obligate not less than \$500 million of the economic emergency loan funds to the insured loan component of the program. Senator DALE BUMPERS introduced a similar resolution in the Senate.

Secretary Block's decision in November, 1982, to freeze the \$600 million in funding was disturbingly insensitive to the economic plight of farmers experiencing financial difficulties. That decision defied the intent of Congress and ignored the needs of this country's farmers. It is extremely disturbing that farmers had to take legal action in Federal court against their own Government to obtain financial assistance which had been authorized by Congress.

In ordering Secretary Block to release the economic emergency funds, U.S. District Court Judge Flannery concluded that "throughout the year (1982) the Secretary received reports of growing numbers of delinquent loans and foreclosures." The court found Secretary Block's decision to be an abuse of his discretionary authority in view of the mounting evidence of farmers' financial distress. That situation has not changed. The number of FmHA farm foreclosures increased from 844 in fiscal 1982 to 1,347 in fiscal 1983. There have already been

250 FmHA foreclosures this fiscal year. The delinquency rate was 16 percent higher on September 30, 1983, than it was at that same time the year before.

When the Secretary was ordered to release the funds, I thought that there was some relief in sight for farmers. Unfortunately, those thoughts proved to be short lived. In its apportionment of the \$600 million, the Office of Management and Budget (OMB) has prevented the funds from being distributed in a manner which would offer the most affordable emergency assistance to farmers. In a complete reversal of past policy, OMB has allocated only \$50 million, less than 10 percent, of the funds to be loaned directly by the FmHA as insured loans. Furthermore, that \$50 million had been exhausted by the time that OMB issued the apportionment order.

I wrote OMB on January 23, to protest the apportionment of the \$600 million. During the first 4 operating years of the economic emergency loan program, approximately 95 percent of the funds were distributed as direct, insured loans, for a total of nearly \$6.3 billion. More than 67,000 farmers participated in the program. Approximately 63,650 of those farmers received insured loans from the FmHA.

In ordering the Secretary to release the funds, Judge Flannery stated that:

There is no reason to believe that a proportionately large number would not have participated had the program been implemented by the Secretary . . .

Accordingly, a proportionately large number of farmers would now be receiving insured loans had the funds been apportioned as they had been during the first three operating years.

If the remaining \$550 million is allocated as guaranteed loans, we can expect participation in the program to decline substantially. Farmers will simply not be able to pay the higher interest rates charged by commercial lending institutions. For example, the FmHA usually charges approximately 10.25 percent for a real estate loan, whereas commercial lending institutions are currently charging about 13.5 percent. The difference comes to approximately \$222 per month on a loan of \$100,000 over 20 years. That amount of money is a considerable sum for a financially hard pressed farmer. Moreover, the rate difference is even higher for operating loans.

The purpose of the economic emergency loan program is that of providing emergency assistance to farmers in the most affordable way possible. The most affordable method is a direct, insured loan; not a guaranteed loan. In establishing the program, Congress recognized the inability of many farmers to obtain credit from sources other than the FmHA because of abnormally depressed economic conditions in their respective areas. By allocating

\$550 million as guaranteed loans through commercial lending institutions, OMB has undermined the usefulness of the program.

OMB's apportionment of the \$600 million is just as capricious as Secretary Block's decision to freeze the funds. The administration's failure to respond effectively to the plight of financially squeezed farmers and administer the program as Congress had intended is deplorable. Just as there was no legitimate justification to freeze the funds in the first place, there is no reasonable justification to allocate only \$50 million as insured loans.

In my home State of Minnesota, 150 farmers applied for insured loans after the funds became available on December 22. However, only one farmer was able to receive an insured loan before the \$50 million allocation was exhausted on January 13. Minnesota would have received approximately \$24 million if the funds had been allocated as they were in the past. While that amount would not have alleviated completely the depressed financial condition of the farmers in my State, it would have been a significant help. There is not enough credit in rural Minnesota to serve farmers' needs.

The administration made clear its position on the economic emergency loan program by refusing to propose a reauthorization of the program in its fiscal 1984 and 1985 budget requests. While Congress has refused to go along with many of the administration's unfair proposals, we continue to face unnecessary obstacles imposed by the administration. The OMB is hardly the agency to entrust with the distribution of funding for assistance programs.

The House Agriculture Committee Subcommittee on Conservation, Credit and Rural Development commendably has begun a full-scale oversight review of the misallocation of the loan program. On February 2, the gentleman from Tennessee, who chairs the subcommittee, convened a hearing of his subcommittee at which I testified. The subcommittee intends to pursue the issue, and I very much hope that it will act favorably and soon on my resolution.

I urge my colleagues to join me in cosponsoring my resolution calling for the reallocation of economic emergency loans program consistent with the intent of Congress and previous practice. It is critical that we act to help those farmers who face financial hardships and are unable to receive credit from other sources. ♡

UKRAINIAN INDEPENDENCE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 1, 1984

● Mr. LANTOS. Mr. Speaker, I join my colleagues today to commemorate the founding of the independent state of Ukraine. The Ukrainian people enjoyed the blessings of independence for only a short time, but they displayed strength and fortitude in their heroic struggle. The beginning of this nation was turbulent and bloody. Three continuous years of war raged with Red and White Russian troops to the east and Polish troops in the west. At the end, the Ukrainian nation lay crushed by the numerically superior Red army.

A systematic effort to obliterate any nationalistic feeling in the Ukraine followed this independence movement, culminating in 1933 with the tragic, manmade famine. Still, these extreme measures did not destroy the hopes of the brave people living in the Ukraine, as they demonstrated again in 1968 with their wholehearted support of the reformations taking place across the border in Czechoslovakia, and today with the formation, despite heavy persecutions, of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords.

As with many of the people in the Soviet orbit, the Ukrainians are reluctant to wear the chain of Soviet hegemony unquestionably. The hope for freedom remains strong in the Ukraine, as it does in Poland, Hungary, and in many other lands. We salute today not only a noble, brief period in the history of the Ukrainian people, but the unfaltering spirit of national identity, as alive today as it was in 1918.

It is with admiration that we commemorate this courage, perseverance and spirit of the Ukrainian people. ●

TRIBUTE TO TOM MATHERLEE

HON. JAMES T. BROYHILL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. BROYHILL. Mr. Speaker, last week Mr. Tom Matherlee was sworn in as chairman of the American Hospital Association board of trustees. Tom is the president of Gaston Memorial Hospital in Gastonia, N.C. He is not only one of my constituents; he is also a very good friend of mine.

Tom began his career in health care as an attendant in a small hospital in Ohio, and his climb up the ladder in the field of hospital administration has been steady and sure. He is a past

president of the North Carolina Hospital Association, and has served in a number of posts with the American Hospital Association through the years.

Given the amount of health legislation before the Congress, and the attention which is being focused on spiraling health-care costs, I want to share with you Tom Matherlee's investiture speech before the American Hospital Association. I know that you will find his remarks to be relevant and thought provoking, as he discusses the challenges facing the Congress and all those interested in insuring quality, affordable health care for all Americans.

INVESTITURE SPEECH OF TOM MATHERLEE,
CHAIRMAN, AMERICAN HOSPITAL ASSOCIATION
ACKNOWLEDGEMENTS

Without having any idea he was doing it, a 17th century English minister named John Tillotson clearly described why we have many of the challenges we face in the hospital and health care industry today. He said nothing about health care or cost, demand or productivity, governmental budget cuts or government programs, insurance, biomedical ethics, capital needs or technology. In fact, he wrote only one line that the editors of Bartlett's quotations consider worthy of immortality in their book. That one line could have been written for us.

"Those in the highest places," Tillotson observed, "Have the least liberty—because they are the most observed!"

How simple that is, and how true: Those in the highest places have the least liberty—because they are the most observed!

People have a double standard for behavior between themselves and other ordinary mortals—and those who have been elevated to high position.

People might cheat a little on a company expense account and know their neighbor takes a cash payment instead of a check for a service to hide the income. But they are horrified and demand stern punishment for a judge or business executive who is found taking a bribe or otherwise breaking the law.

What is true of individuals is also true of institutions, especially now, in this era of consumerism.

Big industries, leaders in their field, become big by meeting needs for more and bigger and better products. As well as jobs and wages and fringe benefits. Once they become leaders, however, they are expected to solve problems that affect them—and that they affect. Many of the demands made on them might be unjust, or impossible, but they are made just the same.

I'm sure you can see clearly how the concept applies to us. Both in the demand for solutions and the willingness to punish failure.

There are many problems in the health care field. To whom is the nation looking to solve those problems? The answer is another question: who has risen to the highest, and consequently, the most observed position in health care? I think the answer is hospitals and physicians. We are elected—we the hospitals and physicians. We who have risen to the highest position in health care, and are the most observed.

In the next few minutes I want to review with you a few of the issues that have

brought us to our mountain top location and reflect a little bit on what we as an association can do to address those highly visible issues and uphold our responsibility as highly visible leaders. I will touch on costs, capital, caring, Congress, and commitment.

COSTS

Listen to what some leaders say about health care: "They are eliminating the non-essential, or, as the public expresses it, cutting out the frills." And these words of wisdom . . . It is not only the public which needs education on hospital costs and curtailment; our doctors may need it twice as much." Or this story I read: "Privately owned hospitals have suffered because the community has dumped upon them the indigent and accident load that should have been borne by taxation." These are not words from recent publications. They are, in fact, quotations from presidential addresses to the American Hospital Association in the years 1933 and 1935, 50 years ago.

In preparation for my comments today, I reviewed many such speeches of the past made to this organization.

I conclude that cost of health care has always been a concern and it will continue to be. Costs are always considered too high. Although a healthy body is something every person wants, it takes dollars that they would rather spend on something else. Paying for health care services creates a conflict of desires. Today is no different than 50 years ago except there are different actors on the scene.

So, in the working life of those in this room, we have arrived, at one of those crucial points in the evolution of the hospital industry.

The pendulum is swinging from programs and policies directed to accessibility, improved technology and provision of more services. The pendulum is swinging toward less dependence on the acute care hospital, less support for technology, less growth in the dollars available for health care services. And, if we are not vigilant, the pendulum will swing away from the "care" in health care. The pendulum is powered, not by health policy but, rather, by budget policy.

Why is this pendulum swinging away from the good things we have all worked for? We have become a large industry, a visible industry, and industry whose problems of today and tomorrow have been created by our successfully meeting the challenges of yesterday.

Our industry has been a growth industry, spurred on by government and business programs touting access to health care services and quality in delivery. Today, the Medicare and Medicaid programs provide some coverage for 51 million elderly, disabled or needy people. Another 140-150 million are covered by employers or union-sponsored health insurance. Approximately 90 percent of our bills are paid by third parties.

Attention to growth, the demands for access, and our success in meeting these demands has created a false impression that hospitals have unlimited resources and capabilities and that we have no vulnerability.

Now sentiment has turned against continued rapid growth in expenditures. We are at a critical point because we are going to have to learn to manage with less at a time when our elderly population is increasing dramatically.

We cannot . . . indeed must not . . . stop caring and we cannot withhold our services from those who need care. We are at a critical point in our industry because our pur-

chasers are trying to judge the efficacy, effectiveness, and cost benefit of our services, frequently without a real understanding of what the numbers and data mean. And we do not have adequate data to demonstrate a positive relationship between dollars spent and health status achieved.

We are at a critical point because we are faced with purchasers and competitors who want to shrink our historical base of operation, which is acute inpatient care. We are at a critical point because Medicare prospective pricing—the most significant change in payment systems our hospitals have ever faced—is being implemented in two-thirds of our hospitals at this time.

During this year we will see the results of the first complete year under the Medicare prospective payment system for these hospitals and we will see those not yet covered brought under the umbrella.

It will be a year of contrasts and a year of squeeze. In a few months it will be time for "show and tell"! Our job is to put forth our best efforts to see that the prospective payment system works. The alternative is a heavy-handed regulatory approach, and we must avoid it.

CAPITAL

Another highly visible and pivotal cost issue involves capital dollars. My belief is founded on projections of need, the large federal deficits, the pendulum swing of world-wide investment, changes in health care payment systems, the ever present threat in our state capitols and the Congress to restrict our capital sources, and the inability of a large segment of our industry to qualify in the capital market.

What is the need? It's large—maybe 100 to 200 billion dollars in the 1980's for replacement and renovation. Maybe as much as 85 percent of our hospital plant capacity will reach the end of its useful life during this decade. To put this need in perspective, consider that from 1973-1979, a period of much growth, only approximately 25 billion dollars was spent on hospital construction.¹

Huge federal deficits also forewarn of difficulties in the capital markets. Many knowledgeable people believe that these deficits will squeeze out private borrowers. Given unsustainable federal budget deficits and the fickleness of currency values in a world-wide economy, a dollar crunch is almost certain to occur and federal borrowing needs will create even greater pressure on the private sector's ability to access capital markets.

The sources of capital in the hospital industry have changed dramatically over the past 10-15 years. In the late 1960's, debt represented a little over one-third of capital financing. Today debt is well in excess of two-thirds. Debt has emerged as the single most important source of non-federal hospital construction funding, with tax exempt bonds representing the largest share of this resource. Even with this shift, however, only 1100 hospitals (according to a recent study by an investment banking firm) have ever issued hospital revenue bonds.²

¹ "Future Capital Requirements of The Hospital Industry", August 1982, Division of Hospital Planning, Office of Public Policy Analysis, American Hospital Association.

² "Tax-Exempt Hospital Revenue Bonds—Health Care Trends and Criteria For Bond Analysis." John Nuveen & Co., Inc., Chicago. Reported in Modern Health Care, October 1983, p. 174.

The report indicates that a major reason is that many hospitals have difficulty getting investment-grade credit ratings because major rating agencies rarely rate hospitals with less than 100 beds and about one-third of not-for-profit hospitals fall into that category.

At the federal level and in many states, some want to limit our access to debt financing, through the tax-exempt and taxable markets. Numerous states are looking at "caps" or "ceilings" on capital expenditures and we have and will continue to face challenges at the federal level to tax-exempt revenue bonds.

The changes taking place in the payment systems for health care services are another critical element. We need an adequate operating margin for capital formation. Moderating against that are inadequate Medicaid payments, demands from large third-party payers for discounts and elimination or reduction of public funding.

Will hospitals with current debt be able to generate funds to repay that debt and provide for future capital needs? How should we address the capital payment factor under the prospective payment systems in order to assure that all hospitals receive fair and equitable treatment under the system?

The factors surrounding the capital issue are, indeed, complex. They are not subject to simplistic solutions and business as usual proposals. It is imperative that we maintain our access to tax-exempt revenue sources, but it is also imperative that we not be so dependent on this one source. It is a fragile source, subject to political winds and the mind set of regulators. We must develop strategies for capital sources which will provide several options, one of which is how to reduce capital need.

Just as our industry moved to address a problem with availability when malpractice insurance sources dwindled a few years ago, so may there be an opportunity today and tomorrow for this great Association and the State associations represented on this stage to be creative in addressing the capital formation and access issue.

CARING

Costs and capital are not the only highly visible issues that confront us. Another of the difficulties we face in our industry is a growing skepticism about our motivation. Although many people are supportive of their local hospital, they question the motives of the industry as a whole. On occasion, one poor example gets magnified to the point that people believe it is our standard. We hear about the one patient who is difficult to place rather than the thousands who get care everyday without regard to financial resources. An insurance industry organization tells the public that hospitals are totally uncontrolled on costs and touts "Fair Payment Systems" as the answer, a fancy name for an unproven all-payers regulatory system.

To negate such improper interpretations of our industry we must show our caring attitude. Care about those we serve as individuals, as human beings! Care about the economic situation in our communities! Care about those who need help but can't afford it! Care about the efficiency and effectiveness of our organizations! Care about the impact of our decisions in human and financial terms!

We talk a lot about quality, and we should! But we must really concern ourselves with caring. Patients do not always understand the quality aspects of our tech-

nological business—but they do know whether we care!

In our fervor of striving for new ways to do things, in our corporate reorganizations, and in our home offices which are sometimes remote and which can tend to remove our minds from our purpose of being, we must not forget why we are in business. We must occasionally feel the pain of our acute care endeavors—the pain of a tormented young man or young lady travelling the road far from home searching for drugs to ease their torment—the pain of the child with cancer—the pain of the elderly who are broken in body and spirit—the burn victim—the accident victim—the attacked! We must visualize the beauty of the healthy newborn child and the agony of the deformed! We must not forget and we must not let those in the halls of Congress forget!

If we can assure those whom we serve that we care—if we can demonstrate to those who make our laws that we care—then, perhaps, some of those who would attack us might be persuaded to become our healers in our time of need! We must keep the "care" in health care!

CONGRESS

Hospitals are caring institutions. They also must be politically active institutions, in a politically strong industry. In a national association like the American Hospital Association, people band together to share and learn from each other about common interests, and to achieve common purposes together that they cannot achieve separately.

The fact that they associate does not mean that all of a sudden the people lose all their identity, that there are no differences. For those who are sincere in their desire to make the association meaningful is means a willingness to work to minimize the differences and maximize the common purpose when it counts the most. So it is and always has been with the American Hospital Association.

There are skeptics who proclaim that the American Hospital Association can no longer represent all hospitals because hospitals are too diverse. People who see only the differences in hospitals fail to see the central purpose in all hospitals, the common thread that makes us what we are called—hospital—a place that cares for peoples' health needs.

In AHA, too, our diversity is recognized but our central core is also still there. To achieve harmony does not mean there can be no differences. In fact, to achieve harmony there must be differences. Harmony is created by different notes—as long as the notes are in the same key. As long as we know the key—our purpose for being—we can be diverse but still be an association for all hospitals.

Lifeless things, forms, do not change themselves—they are changed by other factors and forces; things with life change themselves as a natural process as they grow. This association has exhibited its life, has changed as a natural process through the years because its members have changed. The recommendations of the "Future Directions" Committee are being implemented this year.

The changing face of our Association calls for more involvement of those who have long served this Association well, the managers of our nation's hospitals. Managers of hospitals of all types participating through our new constituency sections, in addition to our traditional mode of representation in the House of Delegates will, in my opinion, greatly enhance the quality of our delibera-

tions. The changes also call for greater involvement of hospital trustees and members of hospital medical staffs in our policy development process.

To achieve success in dealing with the issues confronting our hospitals today we must maintain a strong membership base. I believe we are strong and can become stronger as we implement the "Future Directions" recommendations. When you consider the potential of 6,000 institutional members with their boards of trustees, medical staffs, employees, auxiliaries, and their families we can be a potent force. When you consider 37,000 personal members, we can be a potent force. We simply must channel the energy.

To achieve success we must maintain a strong, skilled voice in Washington and our state capitals, as at no other time. Our voice needs to be heard more than ever. We must have staffs that are ever watchful and networks which can spring into action on short notice. Look how swiftly the Medicare Prospective Payment System moved through the Congress.

This Association has cooperated with the federal government in the development of the Medicare Prospective Payment System in order to try to reduce the rate of growth in health care costs. The system is not yet in place in all of our hospitals and there are already those who are desirous of changing it with their "quick fix" solution. Some suggest limiting the market basket inflation factor or taking away the 1% technology factor. There are those who are heralding an "all-payers" system without understanding what such a system means. These threats must not go unchallenged.

We will continue to work for reduction in the rate of increase in health care costs through encouragement of improved productivity, greater efficiency in our operations and innovations in delivery of services. We must at the same time, however, make it abundantly clear to the federal and state governments that we have a commitment to our fellow man, and that the commitment takes dollars. When cuts inhibit the commitment, we must be willing to stand up and be counted. Such commitment is necessary for success.

Because there is no health policy, I believe we must raise the consciousness level of Congress for the need of one. I do not mean a pie in the sky document, but some clear statements on which services are to be provided and at what level.

If a policy were in existence, I am convinced we could meet its demands. We have done so in the past when access and improvements in technology were the bywords. We have to know what the policy is, however, and the resources have to be there to support the policy.

To achieve success in the political arena, I believe, takes active participation of all our association members in deed and in dollars. No amount of dollars contributed through our PAC is going to buy us any votes, but it will help us to gain the ear of the legislators so that we can tell our story.

There are many issues facing us in Washington even though it is an election year. Budget neutrality on health care funds, tinkering with the prospective payment system, debates over the solvency of the Medicare trust fund, capital, planning, peer review, all-payers system, cap proposal, further cuts in funds, legislation on the handicapped, tax bills, Medicaid, plus many more. During 1984, we must prepare ourselves for

action after the rhetoric has faded and the election is over.

Another important activity which will begin this year and through which we can help ourselves is the campaign "Telling the Hospital Story." Our detractors would have the world believe that we are uncaring about people, resources used, or being effective and efficient in our operations. To tell the hospital story cannot be done by our national organization alone. Through the joint efforts of this Association, the state associations, the regional associations, and individual hospitals, however, I believe we can begin to show those whom we serve that we do indeed care about them, that we care about costs, that we are working to make our enterprises more efficient and effective, and that they have a friend in their hospital.

One could easily despair if they dwelt only on the problems and challenges our industry faces at this point in our history. I believe, however, that we should dwell on what we can do to help ourselves.

I am reminded of a story that I heard in a church service several years ago. It is simply titled, "Grandpa's Gate." The story relates that an elderly gentleman was repairing the gate to his garden fence. His young grandson approached and said, "Watcha doin', Grandpa?" The grandfather replied, "I'm fixin' this gate, Son." The grandson responded, "Why are you fixin' the gate, Grandpa?" And, as he continued to work, the grandfather replied, "Because the gate is broken. And, you see, Son, some things repair themselves; some things others have to repair; some things can't be repaired at all; some things only God can repair; and, son, some things I have to repair!"

Ladies and gentlemen, our challenge is to find those things which we need to repair! I am confident that we have the intellectual capacity, the organizational skills, and the people to do the job that needs to be done in the health care services arena if we really set our minds to it. It is incumbent that we, as an association of people and organizations, who know more about delivering health care services than anybody else in this great land of ours, take the initiative. Like Grandpa's gate, this is one of those things we can repair ourselves.

Ours is a human endeavor, involving human beings and human lives. The success of this Association is dependent upon the level of our commitment to our human purpose, to our commitment to those things we believe in. Are you committed, really committed, or are you simply involved? There is a difference, you know. In the typical breakfast of ham and eggs, the chicken is involved—the pig is committed! Are you willing to forego individual expediency for the long term good of all our members and those we serve?

What would we do without the American Hospital Association? Why are we here? We are here because of a voluntary decision, a belief that we can accomplish together what we cannot accomplish apart. We can pull together and make it together or we can get into turf wars and sink each other. We must be bigger than our differences and smaller than our pride!

I am excited about this Association and the opportunities the uncertainties of the future present us with. I am committed to this Association—committed to doing what I can to further its purposes and having a positive impact on health care services delivery. I pledge myself to represent you the best I know how, to listen to your concerns,

to act where indicated and within my power. You have honored me by electing me to be your Chairman. I shall work tenaciously to uphold that honor and trust. I cannot function in isolation however. It will take the efforts of all these talented people behind me on this stage, the efforts of all in this audience, and the efforts of all our members back home to make this a successful year. With your help and by being indivisible we can succeed! ●

FOUR MILLION MEMBERS OF THE AFL-CIO BUILDING AND CONSTRUCTION TRADES DEPARTMENT OPPOSE H.R. 555

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. MOORHEAD. Mr. Speaker, tomorrow the House is scheduled to resume consideration of H.R. 555, the Construction Work in Progress Policy Act.

H.R. 555 would repeal a carefully crafted Federal Energy Regulatory Commission ruling which the Commissioners unanimously believed fulfilled their regulatory responsibility "both to protect ratepayers from high rates, while at the same time insuring that utilities will continue to provide economic and reliable utility service, now and in the future."

The Commissioners at FERC studied this issue for almost 2 years. They received testimony from over 200 witnesses representing every side of this question. They concluded that failure to allow a utility to recover on a current basis at least a portion of the financing charges on new construction would result in "rate shock" (drastic, sudden rate hikes) to electricity consumers immediately upon completion of a new generating plant.

I believe that the ratepayer should be protected from such rate shock. Proponents of H.R. 555 claim this bill is "proconsumer". I do not see how any bill which would inflict on the consumer "rate shocks" as high as 30 percent could be classified as "proconsumer". If anything, H.R. 555 is "anti-consumer".

The 4 million members of the Building and Construction Trades Department of the AFL-CIO obviously agree with me.

I am enclosing in the RECORD at this point, a mailgram which was sent to all Members of the House of Representatives today opposing H.R. 555.

MAILGRAM

Date: February 7, 1984.

To: Members of the U.S. House of Representatives.

Sometime this week, you will be voting on H.R. 555, the Construction Work in Progress Policy Act.

While proponents of this legislation claim this bill is "proconsumer", consumers will ultimately pay the capitalization costs when

the project is put on line. H.R. 555 merely defers the rate increase from the time construction starts, to the time the plant begins to generate electricity * * * Then the consumer gets hit with an enormous rate increase.

The four million members of the Building and Construction Trades Department, AFL-CIO, do not support H.R. 555, and urge you to do the same.

ROBERT A. GEORGINE,
President, Building and Construction
Trades Department, AFL-CIO. ●

A TRIBUTE TO CANTOR NATHAN AND GRACE KATZMAN

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. LEVINE of California. Mr. Speaker, I rise today to pay tribute to Cantor Nathan and Grace Katzman, two very special people who have devoted 37 years of service to Hollywood Temple Beth El in Los Angeles and who are lifelong friends of mine and of my family.

The Katzmans, who will be honored at the 62d Anniversary Ball on March 4, 1984, have played a very special role in my own life, as well as the lives of countless others in the Los Angeles community. It is with great pride that I share their accomplishments with my colleagues.

Cantor Katzman began his singing career at the age of 8 in Nicolaiev, Russia, where he sang in his father's choir. As a young man he dreamed of an operatic career and studied at the Juilliard School of Music in New York. He later traveled to Brussels to study opera, but the desire to express his religious feelings cantorially, as had his father and grandfather before him, became too strong. Cantor Katzman soon returned to the United States where he was selected to succeed Cantor Reichman at the B'nai Zion Congregation in Chicago.

On one of his frequent visits to Detroit to visit his father, the renowned David Katzman, Nathan was introduced to Grace Klein. They were wed on February 18, 1940, and on November 7, 1943, the Katzmans were blessed with a son, Joel.

The Katzmans spent 7 years with B'nai Zion and then moved to Los Angeles. Early in 1947, Mark Katzman joined the Katzman family, on January 13. Also in 1947, when Nathan Katzman was performing at a benefit concert, he was heard by some of the lay leaders of Hollywood's Temple Beth El. They invited him to audition before a select committee of the Temple and he has remained there ever since. No practitioner of politics could fail to be impressed by Cantor Katzman's staying power, outlasting

more rabbinical colleagues during this time than most people can count.

In addition to his duties as Beth El's Cantor, Nathan has served as school principal, Hebrew teacher, Bar and Bat Mitzvah tutor, and music and drama director. I was privileged to study with Cantor Katzman for my own Bar Mitzvah in 1956—and I think it is appropriate to mention here that no Sabbath or holiday service has ever seemed truly glowing to me unless it included Cantor Katzman.

Grace Katzman, a devoted wife, mother, and grandmother is also a talented artist. She has added beauty and artistry to numerous gatherings at Beth El, including the beautiful mural which hangs above the stage in the Emma Levine Garden Room, a room that holds a special place in my heart as it is dedicated to my own grandmother. Grace is also active in the sisterhood, where she has held numerous positions.

The Katzmans contributions to the community extend far beyond the boundaries of the synagogue. They have given their time and talent to countless causes and organizations including the University of Judaism, Hebrew University, Jewish Institute for the Blind, Survivors of Concentration Camps, National Women's League, B'nai B'rith, Hadassah, Mount Sinai Hospital, Gateways Hospital, United Synagogue of America, Camp Ramah, Yiddish Culture Club, Histadrut, Los Angeles Home for the Aged, the Senior Citizens Association of Los Angeles, and many more.

Most recently, Cantor Katzman was selected to participate in the Fourth International Congress on Humor, which will take place this summer in Tel Aviv, Israel. His presentation will deal with the humor reflected in Yiddish folk music.

The list of accomplishments for these two is endless. They have touched the lives of so many individuals and it is a personal joy to call them my friends.●

THE CHILD ABUSE AMENDMENTS

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. BROWN of California. Mr. Speaker, on February 2, 1984, the House of Representatives voted on H.R. 1904, the Child Abuse Amendments of 1983. This legislation reauthorized the Child Abuse Prevention and Treatment Act. I would like to clarify my position on sections of this bill which address the ethics of treatment of handicapped infants.

In 1982 in Bloomington, Ind., an infant was born with Down's syn-

drome and respiratory and digestive complications. The child's parents, with the support of their doctors and the courts, withheld food and treatment from the child. Since the infant's death, many people and groups have tried to determine whether decisions to withhold treatment violate any laws, and who should make this kind of decision.

Medical groups, disability representatives, and Government officials discussed this dilemma. After considerable consultation and cooperation, these groups approved the Department of Health and Human Services' [HHS] final rule, which set up voluntary hospital review panels to oversee decisions involving the care of handicapped infants. This rule is based on civil rights law which prohibits discrimination on the basis of handicap. The Washington Post of February 3, 1984, reports that an HHS spokesman said, "We feel our regulations are satisfactory. We don't feel additional legislation is necessary."

The child abuse amendments of 1983, however, contained provisions requiring States to insure that severely handicapped infants receive nutrition, medically indicated treatment, general care, and appropriate social services. If States do not meet this requirement, they will lose funding for child abuse treatment and prevention. Furthermore, any decision by parents, doctors, and clergy to withhold treatment must be reported as child abuse. The amendments put a difficult, agonizing decision to withhold treatment made by parents, doctors, and clergy in the same category as beating or molesting a child.

The child abuse amendments put the Government in the role of decisionmaker, as the provider of one answer which applies to all situations. Yet there are varying degrees of handicaps. At one extreme is an infant born 6 months early with several life-threatening handicaps, who will suffer a painful life and death, dying within a month, leaving his parents with tremendous grief and guilt, and medical bills over \$50,000. At another extreme is an infant born deaf, a disability which many successfully overcome.

The parents who face each situation must live with the results of their decisions. Withholding treatment is extremely difficult; withholding treatment from an infant whose arrival was anticipated with joy is tragic. If the decision must be made, I believe it should be made by those who have the best interests of the child at heart: Parents, doctors, and clergy. The hospital review panel will oversee the decisionmaking process and lend support when needed.

An amendment was offered by Representative WAXMAN to the child abuse amendments to provide a more reasonable approach to this situation. The

amendment, which I voted for, would have required the Department of Health and Human Services to issue guidelines for hospitals that want to establish ethical advisory committees to offer advice on the treatment of severely handicapped infants, and to help establish hospital treatment policies. The amendment would have established a national commission to study the issue of treatment of handicapped infants. Finally, it would have required HHS to compile a directory of physicians with expertise in the care and treatment of handicapped infants. Unfortunately, the amendment was defeated, 182 to 231. I also voted for Representative MILLER's amendment to provide assistance to the victims of family violence. This amendment passed, 367 to 31.

Even though I disagreed with the provisions relating to handicapped infants, I had planned to vote for final passage of the Child Abuse Amendments of 1983 because I firmly support Federal funding of child abuse prevention and treatment. The legislation passed the House by a vote of 396 to 4. To my deep regret, I was unable to leave my office during the final vote. I was in an interview with the Independent Network News about ethylene dibromide [EDB], the chemical which the Environmental Protection Agency banned on February 3. As a member of the House Agriculture Committee, I believe that my first responsibility was to try to educate the public about EPA's decision.

I congratulate the Members who worked on the child abuse legislation for their efforts to address difficult, complex, and tragic situations. I hope this legislation and other Federal activities will help prevent and treat child abuse.

With increasing technical medical advancements, and the resulting increasing demands on medical and social resources, we are venturing into an area of tough choices. We must be very careful about how these choices are made, and about who makes them. Thomas Jefferson said:

I know of no safe depository of the ultimate powers of the society but the people themselves.

I think vesting in Government the power to override decisions made on an individual basis by doctors, clergy, and families is an unwarranted, ill-advised depository. I fear that our good intentions and high ideals will never take the place of the love and grief which parents with an infant with life-threatening handicaps must bear.●

HARD WORK PAYS DIVIDENDS TO DR. KWANG-MING CHEN

HON. ANTONIO BORJA WON PAT

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. WON PAT. Mr. Speaker, I call the attention of my colleagues to a hard working scientist who may have found the origins of a terrible neurological disease which plagued the people of Guam for many years.

The gentleman in question, Dr. Kwang-Ming Chen, is a neurologist with the Guam Research Center, and after 30 years of intensive study into the causes of amyotrophic lateral sclerosis—Lou Gehrig's disease—and Parkinsonism-dementia/PD, Dr. Chen believes that one source of the illnesses on Guam may be the high concentration of aluminum found naturally in Guam's water supplies.

His findings are of great importance to my people since the incidence of such diseases are estimated to be much higher per capita on the island than elsewhere in the world.

It is hoped that through the hard work of Dr. Chen, others can find a cure to these horrible illnesses and rid my people of these threats to life and good health.

Recently, the 17th Guam Legislature adopted a resolution honoring Dr. Chen for his brilliant work. At this time I will insert the resolution in the RECORD as a reflection of the high esteem in which we hold this great man and as a lesson to others that hard work does bring about its own rewards. Thank you.

RESOLUTION NO. 374

Be it resolved by the legislature of the Territory of Guam:

Whereas, Amyotrophic Lateral Sclerosis/ALS or Lou Gehrig's disease, locally known as Lytico, and Parkinsonism-Dementia/PD, locally known as Bodig, are terminal illness that have a high incidence on Guam; and

Whereas, Lytico and Bodig have been diagnosed among Chamorros on Guam since the early 20th century, but it wasn't until 1953-54 that it was discovered that Chamorros on Guam had ALS 100 times more often than elsewhere in the world; and

Whereas, Dr. Kwang-Ming Chen, a neurologist with the Guam Research Center, has spent thirty years in the study of these diseases; and

Whereas, in 1964, Drs. Chen and Yoshiro Yase, began to suspect an environmental cause of the disease, with Guam's water being a leading suspect as well as the high concentration of aluminum found naturally in the water and soil; and

Whereas, after considerable study, Drs. Chen and Yase ruled out hereditary factors unless they occur at a molecular level, turning their attention to an interaction between high aluminum and low calcium and magnesium levels in the water supplies; and

Whereas, Dr. Chen, has concluded in an unpublished medical paper that "trace metal analyses of ecological environment and central nervous system definitely impli-

cate interaction between aluminum, calcium and other trace elements playing a key role in the pathogenesis of Guam type ALS (Lytico) and PD(Bodig)"; and

Whereas, through Dr. Chen's study, it appears that the etiology of this most elusive disease of the central nervous system may have been found, and its prevention or treatment may be on the horizon; now, therefore, be it

Resolved, that the Seventeenth Guam Legislature, on behalf of the people of Guam, commend Dr. Kwang-Ming Chen on his latest findings on Lytico and Bodig; and be it further

Resolved, that the Seventeenth Guam Legislature recommend that Dr. Kwang-Ming Chen be nominated for induction into the "Guma Onra" for his outstanding contribution in the field of Medicine and Health; and be it further

Resolved, that the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies be thereafter transmitted to Dr. Kwang-Ming Chen; to Dr. Yoshiro Yase; to the Chinese Association of Guam; to the Japanese Consulate; to the Guam Lytico and Bodig Association; to the Muscular Dystrophy Association; to the Mayo Foundation; to the Parkinson's Disease Foundation; to the Parkinson's Educational Program; to the National Multiple Sclerosis Society; to the Amyotrophic Lateral Sclerosis Society of America; to Margaret Heckler, Secretary of the Department of Health and Human Services; to Congressman Antonio B. Won Pat; to Senator Lowell Weicker, Chairperson of the Senate Appropriations Subcommittee on Labor, Health and Human Services and Education; and to the Governor of Guam.●

PASS HOUSE CONCURRENT RESOLUTION 192

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. RITTER. Mr. Speaker, today the House of Representatives will be considering Senate Concurrent Resolution 80 which expresses the sense of Congress that the President should take all steps necessary to bring the question of self-determination of the Baltic States before the United Nations Commission on Human Rights. I urge my colleagues to support this legislation and reaffirm our Nation's longstanding commitment to furthering the basic human rights of the Baltic peoples as guaranteed to them in the Helsinki accords and various other multilateral agreements.

The history of the Baltic States during this century has been recounted many times in this Chamber. Unfortunately, theirs is another example of not only the brutality, but the reality of Soviet communism.

Today, the Baltic States suffer under the cruelty of Soviet totalitarianism. Their basic rights as human beings, rights that we take for granted, do not exist. Their own culture, language, and religion has been brutally suppressed through intense Russifi-

cation. While the world community is generally aware of the illegal incorporation of the Baltic States by the Soviet Union, this issue of self-determination for the peoples of Estonia, Latvia, and Lithuania has never been fully discussed before in a world forum.

As cochairmen of the Ad Hoc Committee on the Baltic States and Ukraine, Congressman BRIAN DONNELLY and myself sponsored legislation, House Concurrent Resolution 192, calling on the President to direct the U.S. delegation to the United Nations to discuss the issue of the self-determination for the Baltic States before all appropriate U.N. forums. This specifically includes the next session for the U.N. Human Rights Commission in Geneva which will convene on February 6, 1984. This is why we have urged this resolution be brought to the floor post haste.

House Concurrent Resolution 192 reflects the fact that the United States has never recognized the unlawful annexation of the Baltic States into the Soviet Union, and also reaffirms our Nation's commitment to human rights and self-determination for all peoples. The legislation, therefore focuses on presenting the Baltic case to the U.N. Human Rights Commission under agenda item 9, entitled "The Rights of Peoples to Self-Determination and Its Application to Peoples Under Colonial or Alien Domination." Under this particular agenda point, the Commission can take action on the self-determination questions, as it did regarding Afghanistan 2 years ago.

Although the Baltic States border on Russia proper, they have always been Western oriented. For the United States to remain passive on the issues of human rights and self-determination for the countries of Estonia, Latvia, and Lithuania is to ignore the traditional ties of the Baltic nations to the West, to renege on all the basic principles of its Constitution, and to render meaningless its statements regarding support for the Universal Declaration of Human Rights and other relevant documents.

As sponsor of House Concurrent Resolution 192, I ask that my colleagues support me and call on the U.S. delegation to the United Nations Human Rights Commission to state the case of self-determination for the Baltic peoples and illuminate the disrespect for human rights consistently demonstrated by the Soviet Union.

It is important that we in the United States who enjoy fundamental freedoms, continue to speak out against the illegal occupation of the Baltic countries by the Soviet Union and for the restoration of the freedoms they have been denied for so long.●

NATIONAL ENGINEERS' WEEK

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. FOGLIETTA. Mr. Speaker, by Presidential message the week of February 17-25 is National Engineers' Week and I rise to recognize the many great contributions of the men and women of this profession. I also want to recognize Dr. Joseph Bordogna of the Moore School of Electrical Engineering at the University of Pennsylvania. Dr. Bordogna has been named the 1984 Engineer of the Year, an outstanding achievement.

Mr. Speaker, the celebration of National Engineers' Week is both a time to reflect on the great achievements of this profession as well as to plan for the possibilities and the greatness of our future.

Engineering has played an increasingly important role in our daily lives. With the highest standards of competency and integrity, engineers have made human life not only longer but also richer and better. Long gone are the days when engineers were thought of only as men who wear striped hats and drive locomotives. Today, the practice of engineering extends into virtually all facets of life: Communications, transportation, agriculture, architecture, industrial production, and biomedicine, to name just a few of the fields in which engineering has exercised spectacular influence and met with unprecedented success. Undoubtedly, engineers have a special talent for solving problems of practical interest and everyday needs.

With energetic pursuit, engineers have made astounding technological developments. In our modern era, what is most remarkable is the engineer's possession of what seems to be an innate ability to think small—equipment that in decades past would take 10 men to carry has now been modified and perfected to the extent that it now fits into the palm of your hand—and that is progress.

As I mentioned earlier, engineering has affected practically every aspect of human survival and engineering history dates back to the introduction of the wheel. The transition from stone to metal can also be credited to yet another feat of engineering. Such accomplishments have never ceased to be amazing, contributing to every culture of the world. The Greeks are worthy of much praise for their invention and development of aqueducts; to the glory that was Rome we applaud and marvel at the architectural achievements of the Pantheon, the colosseums, and cathedrals, and we should not forget yet another wonder of the world—the Egyptian pyramids. Many of man's triumphs and con-

quests must be credited to the realization of engineering goals. America is not without its own success stories as our country has also had its own engineering heroes in the likes of Lillian Moller Gilbreth who took great strides in time motion research; Washington Augustus Roebling, the first engineer to use caissons and steel cables to construct the Brooklyn Bridge—the bridge they said could not be built; Ole Singstad, the gentleman who magnificently engineered the design of the Holland Tunnel; Elwood Mead, builder of the Hoover Dam; Robert H. Goddard, who dared to explore the frontier of space; and Grace Murray Hopper whose contributions to computer programming were so significant that the U.S. Navy would not allow her to retire—even at age 78.

Another invention worthy of comment comes from the University of Pennsylvania. Known as the ENIAC, it has been hailed as the father of the modern electronic computer and has been named as one of the top 10 engineering achievements in the past 50 years. Needless to say, engineers are worthy of recognition and we, the people of the 20th century are indebted to these individuals who have dedicated themselves to efficiency and progress.

On this occasion, I want to recognize Dr. Joseph Bordogna of the University of Pennsylvania. Dr. Bordogna has been selected as the 1984 Engineer of the Year, an honor of which he is indeed worthy and most deserving. Known for his research in optical and radio communications, electro-optic recording materials, holographic television, and various miraculous laser projects such as a laser-equipped cane which allows blind people to see where they are going, Dr. Bordogna's accomplishments are many and he is honored for his distinguished career as both an engineer and an educator. He continues the great engineering tradition of the University of Pennsylvania.

I congratulate and compliment Dr. Bordogna on his personal and professional achievements and extend my praise to all engineers for their most spectacular and awe inspiring achievements, from which all of society has benefited. Said William Shakespeare: "We know what we are, but not what we may be." Seeing and helping us achieve "what we may be" remains the fundamental challenge of engineering. ●

MORTGAGE-BACKED BONDS

HON. JOHN McCAIN

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. McCAIN. Mr. Speaker, yesterday, I joined with my colleague from

Oregon (Mr. AuCoin), to introduce a resolution critical for the future of our Nation's homebuilding industry. This resolution seeks to protect a truly innovative method of financing. One which has helped restore vigor to the housing market. I refer to mortgage-backed bonds, or a program known in the trade as builders bonds.

The use of these bonds began around 1980. The economy was sliding into recession. With interest rates hovering near 20 percent, savings and loans and mortgage banks either would not or could not provide the capital needed by our homebuilders. Housing starts were falling sharply. At the depth of the recession they fell 50 percent, to their lowest level since World War II. Homebuilders searched desperately for a mechanism which would stave off disaster. They came up with mortgage-backed bonds.

Mr. Speaker, let me briefly explain how this program works. A builder sells many homes, taking mortgages on them. He then transfers these notes to a wholly owned finance company which uses them to collateralize a bond issue. Under long established tax principles, builders do not pay taxes on the proceeds from these bonds because, eventually, they must be redeemed. Unlike traditional mortgage-backed securities, investors in these bonds do not purchase a share in the mortgage pool. Rather, they purchase debt secured by mortgages.

In addition, because the builder retains ownership of the mortgages, he is eligible for installment sales tax treatment similar to that of the automobile or appliance industry. The builder pays taxes only when he actually receives the principal from the mortgages. The end result of this program is a maximization of investment capital.

This arrangement benefits the homebuilder by providing him with badly needed new sources of reliable and affordable home mortgage funds. This in turn has direct benefits for the homebuyer. Lower financing costs, better access to the capital markets, and tax deferrals enable homebuilders to offer lower sales prices with interest rates one-half percent below the average rate. These cost savings help middle-class Americans realize the dream of homeownership far sooner in their lives than would be possible without them.

Mr. Speaker, I must question the wisdom of any attack on this program. A recent study by a major public accounting firm indicates that restrictions on the builder's bonds program would bring in \$85 million in taxes. This is at a time when homebuilding is recovering from its worst years since World War II. The industry, which has led our country out of every recession since the 1950's, is witnessing a

60-percent increase in activity over its low point of 1982. Now is not the time to tamper with homebuilding.

We must resist any effort to stifle the creativity and innovation now underway in the mortgage finance field. I urge my colleagues to join us in protecting the housing industry. ●

SHRINERS HOSPITALS FOR CRIPPLED CHILDREN

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. MINISH. Mr. Speaker, it is my pleasure today to salute a dear friend of mine, Mr. George Stringfellow.

Mr. Stringfellow enjoys a fulfilling and rich life—a life in which he has devoted much of his time and energy to others.

As an active member and a former imperial potentate of the Shriners, Mr. Stringfellow is justifiably proud of the Shriners Hospitals for Crippled Children. In the following speech, delivered by Mr. Stringfellow, he recalls the Shriners' meeting in 1920 when the imperial council passed the resolution establishing 19 orthopedic hospitals and 3 burn institutes.

This is an interesting piece of Americana history and I would like to take the opportunity to reprint it here:

Chairman James H. Shacklett, officers and members of your distinguished board, Imperial Sir Jacob Wingerter and beautiful ladies:

Thank you for your gracious introduction and for the warmth of your reception. I wish to especially thank Illustrious Sir Edward E. Buckley, the board's competent secretary, for safe and comfortable transportation to this meeting.

It is a privilege to speak to you for a few moments on how Shriners Hospitals came into being and their accomplishments to date.

At the 46th Imperial Council Session of the Shrine held in Portland, Ore., in 1920, W. Freeland Kendrick, Imperial Potentate recommended that the council adopt a resolution authorizing the establishment of a hospital for crippled children to be supported by the membership of the Shrine of North America on an annual per capita basis. This hospital to be known as Shriners Hospital for Crippled Children and to become a goal for the Shrine organization beyond the mere pursuit of happiness.

It is difficult for us today to believe that any Shriner would have objected to the hospital idea, but there were some detractors. Even highly respected members of the Imperial Council raised questions concerning "practicability," "the qualifications of the child" and supposed "hasty legislation."

When opponents to the proposed hospital program had finished speaking, Noble Forrest Adair of Yaarab Temple rose and delivered what has since become known as the famous "bubbles speech"—the speech that is credited with having moved the Representatives later to vote unanimously for the proposal. Noble Adair said: "I was lying in bed yesterday morning, about 4 o'clock in

the Multnomah Hotel, and some poor fellow who had strayed away from the rest of the band—and he was a magnificent performer on a baritone horn—stood down there under the window for 25 minutes playing 'I Am Only Blowing Bubbles.' After awhile, when I dropped back into a peaceful sleep, I dreamed of a little crippled children's hospital run by the Scottish Rite Fraternity in Atlanta, Ga., which has been visited by a number of the members of this Imperial Council, and I thought of the wandering minstrel of the early morning, and I wondered if there were not a deep significance for Shriners in the tune that he was playing. 'I Am Only Blowing Bubbles.'"

After considerable discourse on the merits of a hospital, Noble Adair continued: "I want to see this thing started. Let us lay aside the soap and water and stop blowing bubbles, and get down to brass tacks."

Imperial Potentate Kendrick spoke: "Nobles, just let me say two things and then let's vote on it. I want to say to you that I have listened to Forrest Adair and these splendid men place this proposition before you. The time has come when we should do something big. And what can you do as big as to furnish a hospital for a poor little crippled child? God put it here on earth and it is up to us to help it."

Imperial Sir Melish was recognized and said: "I think the duty of us all—the duty of myself first—is that if action is to be taken today, as it is, upon this matter, that we want to go before the world showing that the vote was unanimous, and that is the way I am going to vote."

There were many calls for the question. When it was put, Imperial Potentate Kendrick's resolution passed unanimously.

The passage of that resolution has resulted in the establishment of 19 orthopedic hospitals and 3 burn institutes in which 264,203 crippled and burned children have been cured or substantially helped to date (without cost to parents, children or guardians). That number—264,203—approximates the combined populations of the cities of Erie, Harrisburg, and Reading, Pa.

Fifty years ago the Shrine operated 15 hospitals with total operating expenses for the year ending March 3, 1933, of \$963,000—roughly \$62,400 per unit. The 1983 operating expenses for the 21 hospitals is \$96 million—roughly \$4.5 million per unit. In 1984 that figure will be \$5 million each for 22 hospitals including the new Tampa unit. Since 1922 Shriners hospitals have spent more than \$660 million in aiding crippled and burned children.

Without the worthy objective of aiding crippled and burned children or an objective which fills a similar need, our Fraternity would not enjoy its present prestige and public acceptance.

The late Fred Van Deventer, Shrine historian and author of the history of the Shrine called "Parade to Glory," had this to say about Imperial Sir W. Freeland Kendrick: "The election in 1919 of W. Freeland Kendrick as Imperial Potentate, set off a chain reaction that was to give the Shrine a soul—a soul so big that it passeth understanding, a soul so big that in the light of 30 years of service it transformed a playground for Masons into a fraternity of love."

"It is likely that in the whole history of humankind there never has been an undertaking by any group of men that was created so suddenly or developed and perfected so quickly as the soul of the Shriners—their hospitals for crippled children."

In adopting the Kendrick resolution, the Shrine did indeed "do something big." ●

VESTAVIA HILLS CHAMBER OF COMMERCE PRESENTS "LAND OF OPPORTUNITY AWARDS"

HON. BEN ERDREICH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. ERDREICH. Mr. Speaker, for the last 2 years, the Vestavia Hills Chamber of Commerce has presented the "Land of Opportunity Awards" to first-generation immigrants with citizenship intentions who are working and demonstrating by example that the United States is still the "Land of Opportunity." Last year I was privileged to have been given the honor of presenting the award to six nominees. They included Tuan A. Le from Vietnam, who arrived in the United States in 1975, acquired a B.S. degree in mathematics, a B.S. degree in English, is working on an M.S. degree in mathematics and electrical engineering, and is employed at Rust International Corp. in Birmingham; Frank Petho, who came from Dobor, Hungary in 1953, graduated from Rutgers University, and is presently a project engineer for Turner Construction Co. in Birmingham; Dana Darlene Idol, who came from Panama to this country in 1958 and is currently credit manager for the Yielding Stores in Birmingham; Prem Tagra from India, who is an engineer with the Rust International Corp.; Galal Abdulla, an Egyptian native who operates a riding school at Oak Mountain State Park; and Tien Le, who came from Vietnam, graduated from Homewood High School at the age of 16 and received a 4-year premedical school scholarship to Birmingham-Southern College.

I was proud to present the "Land of Opportunity Award" to these six individuals who are living proof that America continues to be a land of opportunity and a beacon of democracy around the world.

I would like to commend those responsible for initiating the presentation of these awards, particularly Mr. Herc Levine, committee chairman of the "Land of Opportunity Awards," who was instrumental in turning his lifelong dream of recognizing those who came here seeking freedom to live and work and worship as they wish into a reality.

The Vestavia Hills Chamber of Commerce is due to be commended for establishing this recognition to exemplify that our democracy remains the land of opportunity, a vibrant and growing Nation whose values of personal liberty, hard work, religious freedom, the importance of family and neighborhoods, contribute to make this Nation the land of opportunity for all. ●

TRIBUTE TO ARCHBISHOP IAKOVOS

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. LONG of Maryland. Mr. Speaker, it is an honor to welcome again to Washington, his Eminence the Archbishop Iakovos, Primate of the Greek Orthodox Diocese of North and South America. It is indeed a special honor today, because this year marks the 25th year that His Eminence has served as spiritual leader for the entire Greek Orthodox population of the Western Hemisphere.

Archbishop Iakovos is well known here in Washington and throughout the world as a strong defender of religious and civil rights and as a prominent spokesman for humanitarian causes. His leadership of the campaign to assist Greek-Cypriot refugees, following the invasion of Cyprus by Turkish armed forces in 1974, won the hearts and minds of Americans of all religious and ethnic backgrounds. I know this personally, because the Archbishop's efforts so convinced me that I sought and won \$15 million in foreign aid for the Greek-Cypriot refugees, 200 percent more than the administration had requested.

It is my fervent hope that the Archbishop's courageous stand on behalf of human rights is rewarded by a peaceful settlement in Cyprus. I commend him for his achievements and wish him many more years of success in leading the Greek Orthodox community in the Western Hemisphere.●

TRIBUTE TO MORTON WEBER

HON. ROBERT J. MRAZEK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. MRAZEK. Mr. Speaker, I rise today to pay tribute to one of Long Island's finest citizens. Morton Weber, an attorney and partner in the law firm of Weber, Haberman, Gross & Glueck, is widely known throughout Suffolk County, N.Y., because of his unceasing and dedicated involvement in a variety of important causes. It is my privilege to bring the accomplishments of Mort Weber to the attention of my colleagues in the U.S. Congress.

Throughout Mort's professional career, he has taken an active interest in enhancing the vitality of Long Island's business community. While many areas of the Nation have been hard hit by recession and unemployment, the economy of Long Island has remained strong. This is a credit to the ingenuity and foresight of our business leaders and to the dedication and hard work of Long Island's workers.

As chairman of the board of the Advancement for Commerce and Industry, Mort has played a critical role in promoting the development and well-being of our business community on Long Island. During Mort's tenure as president of ACI, the organization has grown from an original membership of 38 to over 800 members. Today, ACI has become one of the two largest and most influential business groups on Long Island, primarily due to Mort's tireless and dynamic leadership.

In addition to his service with ACI, Mort has distinguished himself by becoming involved in other activities of importance to the local community. Mort is a trustee of the Farmingdale University Foundation, a member of the American Business Associates, the Long Island Mid-Suffolk Businessmen's Association and the Long Island Coordinating Council.

He has volunteered his time and energy to the American Cancer Society and the Suffolk County Boy Scouts. Most recently, Mort has been appointed Suffolk chairman of the American Diabetes Foundation and Suffolk chairman for the State of Israel Bonds. In fact, Mort will soon be honored at an affair given by the Israel Bond Foundation for his exemplary service in this area.

Throughout his exceptional career characterized by accomplishment after accomplishment, Mort Weber has contributed so much to help make Long Island a better place to live. For this, he deserves our heartfelt gratitude. It is my sincere hope that Mort will continue his outstanding service to the community for many more years.

Mr. Speaker, I join with the family and friends of Mort Weber in paying tribute to this outstanding citizen.●

THE MEXICAN ECONOMY

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. COLEMAN of Texas. Mr. Speaker, U.S. Commerce Secretary Malcolm Baldrige's advice that Mexico should seek increased foreign direct investment and eliminate export subsidies will only damage our trade relations and further compound the border economic crisis.

If Mexican economy is to achieve stable and diversified growth to overcome its internal problems, it will need the support of the United States.

Mr. Speaker, the basic problem is that we have refused to recognize that a strong economy is in our own national self-interest. Instead, the United States has established a protectionist trade bias against a country that is not strong enough to overcome it. This administration believes that Mexico has

reached a level of industrial sophistication comparable to Hong Kong or Korea, when in fact it is still struggling with the inevitable problems of Third World development. Because Mexico is not a member of the General Agreement of Tariffs and Trade, it is not provided with the benefits of an injury test in countervailing duty suits against its exports. As a result, if the Commerce Department finds that a Mexican product has been subsidized, a countervailing duty may be levied without determining if the domestic industry has been injured. Unfortunately, U.S. businesses are often protected against exports that are not competitive in the first place.

The administration's unwillingness to address the roots of the border economic crisis has prevented it from making a substantive effort to solve it. The United States is the only technologically advanced nation in the world to share a 2,000-mile border with a developing country, and I do not think I need to remind anyone that the long-term benefits of a strong and stable ally to the south far outweigh any short-term, short-sighted benefits conjured up by the Commerce Department.

Despite obvious economic and cultural ties, the fact of the matter is that the developmental gap between the two countries is wide enough that economic dislocation will be experienced on both sides of the border when a domestic crisis affects either one. Unless Mexico is helped to achieve the type of stability that will allow its economy to grow, U.S. businesses will continue to suffer the efforts of Mexico's internal problems.●

PROVIDING MEDICARE BENEFITS TO THOSE LIVING AND TRAVELING ABROAD

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. BIAGGI. Mr. Speaker, today I am introducing legislation that will address a very real and common problem faced by the elderly living and traveling overseas. Despite the fact that since 1977, we have entered in arrangements with foreign countries in order to provide social security benefits to those living abroad, we still do not extend the same coverage under Medicare. If an elderly individual is overseas and becomes ill, Medicare will not pay for health care services. I believe that this is discriminatory, especially in those instances where there is a severe illness that requires prolonged hospital care or medical supervision.

If a Medicare beneficiary has worked his or her entire life to contribute to the Medicare trust fund in order to be

eligible for benefits upon reaching the age of 65, it is patently unfair to deny that same person their benefits if they choose to live or travel overseas.

This issue has been addressed by the House before as part of the 1979 social security amendments. The bill as reported by the Ways and Means Committee provided for the President to enter into international agreement with other countries in order to provide for medicare payments overseas. However, this provision was dropped in conference and as a result, did not become law.

We have recognized the inequity of not providing benefits to which the elderly are entitled to under the understanding that their contributions to the system would take care of their health care needs in their retirement years. It is time we act to make this part of the Social Security Act consistent with the 1977 provision that allowed for the payment of social security benefits to those individuals living abroad. Today, there are currently 151,366 retired and disabled workers living outside of the United States who receive \$53 million in benefits.

The number of elderly who travel outside the United States each year are sizable. Each and every one of these people could face a health hazard that would require medical treatment that would not be paid for by medicare. Last year, the State Department issued 832,000 individuals over the age of 55 passports. Clearly, this situation is one which could impact upon a large segment of these people.

Medicare coverage under the law today is very limited for those individuals traveling outside the United States. The exceptions for coverage include emergency services while traveling between Canada and the 48 contiguous States and Alaska. It also includes hospital services that are needed while traveling in the United States near a border when a Canadian or Mexican hospital is more accessible than an American hospital.

The provisions of my legislation are simple. The President is authorized to enter into agreements establishing reciprocal arrangements for health care with other countries. Benefits provided under these agreements should be equal to benefits provided to the same eligible individuals in the United States. Due to the often lengthy amount of time that it takes to conclude such agreements, the Secretary of Health and Human Services is authorized to enter in temporary agreements. This will be especially helpful to individuals in countries which provide for dual citizenship, such as Israel and Ireland, which are frequented by large numbers of elderly.

For the benefit of my colleagues, I am inserting the text of this bill into the RECORD.

As an original member of the House Select Committee on Aging, I intend to work for passage of this legislation in any medicare bill that we consider this session. I believe that fairness dictates that we give all medicare beneficiaries their benefits—at home and abroad.

H.R. 4767

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part C of title XVIII of the Social Security Act is amended by adding at the end the following new section:

"INTERNATIONAL AGREEMENTS

"SEC. 1888. (a) The President is authorized to enter into agreements establishing reciprocal arrangements between the programs established by this title and the program of any foreign country under which similar services are provided directly to entitled individuals or under which insurance is provided to meet all or part of the expenses of entitled individuals for such services.

"(b) Any agreement establishing such a reciprocal arrangement pursuant to this section shall specify—

"(1) the nature and extent of payment to be made to or on behalf of (A) individuals entitled to benefits under this title for services covered under such title when such individuals are present in the foreign country and receive such services from persons who are authorized under the program of that foreign country to furnish them, and (B) individuals entitled to benefits under the program of that foreign country who receive such services in the United States from persons meeting such requirements or conditions as are required under such title;

"(2) such limitations on the nature and duration of services for which payment may be made in one country to individuals entitled to benefits under the program of the other country, as the President deems appropriate, except that no agreement shall authorize any individual to receive benefits in the United States on a reciprocal basis in excess of those provided for individuals entitled to benefits under this title;

"(3) such limitation on entitlement of individuals to benefits on a reciprocal basis under an agreement in the United States and in the foreign country, as the President deems appropriate, except that no agreement shall provide entitlement to benefits under this title in the United States for an individual who does not meet the requirements for entitlement applicable under such title with respect to age or medical condition;

"(4) the methods by which the cost of providing services to persons on a reciprocal basis shall be shared equitably by the persons receiving such services and by the respective programs of the United States and the foreign country; and

"(5) such other provisions, not inconsistent with this section, as the President deems appropriate.

"(c) The Secretary shall make rules and regulations and establish procedures which are reasonable and necessary to implement and administer any agreement which has been entered into in accordance with this section.

"(d) Pending the conclusion of an agreement under this section with a foreign country, the Secretary is authorized to enter into interim arrangements with any hospital in that country which is accredited by the

Joint Commission on Accreditation of Hospitals, or such other hospitals as the Secretary finds meet health and safety standards equivalent to those required under this title for hospitals in the United States and which are accredited in the foreign country concerned, under which payment may be made for inpatient hospital services, as defined in section 1861, to or on behalf of an individual who is entitled to such benefits under part A of this title. For purposes of making payment under such an interim arrangement, the Secretary shall use whichever of the methods provided for in section 1814(f) he finds appropriate, except that any payments made under part A of this title to the individual or to the hospital shall be reduced to the extent that the individual has no legal obligation to pay for any items or services furnished to such individual by reason of the laws of the foreign country in which the hospital is located or such individual's membership in an insurance plan that provides for payment for such items or services."●

**IN HONOR OF ARCHBISHOP
IAKOVOS**

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Ms. SNOWE. Mr. Speaker, it is with great pleasure that I join my colleagues in honoring Archbishop Iakovos on the anniversary of his enthronement as archbishop 25 years ago.

In addition to being involved in every aspect of Greek-American life, religious and secular, Archbishop Iakovos is a world religious leader representing the Greek Orthodox Church and its people throughout the world. He is also a man who has devoted his life to his principles. He has been a staunch advocate of human rights and religious freedom for all people. The archbishop was actively involved in the civil rights movement, and has consistently spoken out against injustice wherever he saw it. The honorary degrees and other honors bestowed on Archbishop Iakovos, including the Presidential Medal of Freedom in 1980, cover several pages.

Those of us in Congress of Greek descent are proud to know Archbishop Iakovos and to honor him for his spiritual and secular leadership and for his many accomplishments as leader of the Greek Orthodox Church in America.●

GOOD NEWS FROM ROGER B. SMITH, CHAIRMAN OF THE BOARD, GENERAL MOTORS CORP.

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. TRAXLER. Mr. Speaker, I am pleased today to share some very good news with our colleagues regarding the 1983 performance of our Nation's largest automobile manufacturer, General Motors.

In remarks before the National Press Club earlier today, GM chairman of the board, Roger B. Smith, told his audience of a stunning comeback in 1983, when GM enjoyed record earnings and record sales. This performance is a dramatic reversal of losses incurred by the corporation just a few short years ago.

More importantly for GM workers and for GM communities, including those that I represent, GM is initiating this year a profit-sharing program which will provide \$322 million for the 531,000 hourly and salaried GM employees around the country.

Mr. Smith provided some very important information regarding the current status of his part of our domestic auto industry, and some insights into the times ahead. I commend his remarks to all of our colleagues:

REMARKS BY ROGER B. SMITH, CHAIRMAN, GENERAL MOTORS CORP.

Thanks very much, John [Fogarty, correspondent, San Francisco Chronicle, and president, National Press Club].

It's a great honor to be invited back to the National Press Club.

And I'm enormously flattered by today's turnout.

John, I want to congratulate you on taking up your new duties as Club president.

Having a Fogarty succeed Don Byrne has led to some talk of an Irish Mafia takeover.

But I'm told those rumors are false.

I have been asked, however, to announce that henceforth the Club will serve only Guinness on tap—and you can buy any whiskey you want, as long as it's Irish.

I'm sorry I'm going to miss the big Inaugural Ball at the new Club Ballroom on Saturday.

In fact, I'm sorry I'm missing the new ballroom—period.

It's going to be great when it's finished—one of the best looking press clubs in America.

But during the renovation, it's been more like the Beirut Hilton.

Through all the construction, the Club has carried on valiantly.

You've kept to a busy schedule—despite the pounding of jackhammers and the vagaries of new plumbing.

We understand that kind of spirit in the American auto industry.

We, too, have been working while a renovation was under way.

But in our case, it was the renovation of an entire industry.

Even as our critics were calling American automaking a dying industry and trying to

bury us, we were creating new products and putting up new plants.

We were busy improving product quality and reviving our sales.

At General Motors, we also managed to move a few of the bigger boxes around on the organization chart.

Our critics aside, we've begun a kind of industrial miracle in the American auto industry—a miracle that's still ongoing.

What's been happening reminds me of the guy who pulled his truck off the highway and went into a roadside diner to have lunch.

He ordered a hamburger, a cup of coffee, and a piece of pie.

Just as his lunch was set before him, three rough-looking guys in leather jackets, motorcycle helmets, and boots entered the diner and sat down beside him at the counter.

One hood grabbed his hamburger and ate it.

Another picked up his coffee and drank it. The third tasted his pie, then mashed the rest of it with his fist.

The man said nothing, but got up, paid the cashier for the food, and walked out.

The three guys in leather jackets turned to the cashier, and one of them said:

"Not much of a man, is he?"

"No, and he's not much of a driver, either," said the cashier.

"He just ran his truck over three motorcycles."

The American auto industry has made an equally dramatic move.

We've begun what can only be called a stunning comeback—and I'll have some hard evidence of that to offer in a moment.

Now the question all the world wants to know—and all of you have been asking in your articles and columns and on-camera reports—seems to be this:

Can we sustain success?

Can the American auto industry survive prosperity without falling back into the bad habits that helped bring on the hard times?

I'm here to tell you we can.

And one of the things that's going to help us is a new program that's about to pay off very handsomely.

More about that later.

First, let's get to that hard evidence I promised.

Our results for 1983 are now final, and I'm very pleased to announce today that General Motors last year earned an all-time record of \$3.7 billion on record sales of \$74.6 billion.

The previous records were set in 1978, when net income was \$3.5 billion, and in 1979, when sales were \$66.3 billion.

Earnings per share for 1983 were \$11.84, but were not a record.

The record is \$12.24 per share in 1978, when fewer shares were outstanding.

The 1983 results compared with net income of \$963 million, or \$3.09 per share, on sales of \$60.0 billion in 1982.

But to really understand the extent of our progress, you might look back to our 1980 results which showed a loss of \$762 million.

The results we're announcing today—just three years later—are an incredible \$4.5 billion improvement over that figure, although our unit sales increased less than 10 percent.

So the recovery at General Motors is real—and it's very demonstrable.

What made it such a good year?

Our 1983 performance was a reflection of many things.

Right at the top of the list I'd put the new spirit of cooperation and the dedication of our GM people.

It's certainly true that we did get a lift from the rising economy, but our improved operating performance was the key.

For example, if we had operated in 1983 at our 1983 volume—but at our 1978 performance rates—we would have barely broken even last year.

As proud as we are of our 1983 performance, I must emphasize that inflation made the year seem even better than it was.

If you adjust the data for inflation, you see that we still have a long way to go to achieve meaningful competitive results.

As much as we have accomplished to restore our competitive edge, still more remains to be done.

For example, our 1983 earnings were equal to 5.0 percent of sales, compared with 10 percent of sales we achieved in the mid-Sixties.

Still, we've made tremendous progress—and we're not done yet.

The recovery of the U.S. auto industry to date represents one of the greatest comebacks in American business history.

And our stockholders, our employees, our suppliers—everyone who has a stake in General Motors—will share in our success.

In fact, to a certain degree, I think I can say that all of America will share.

For example, in 1983, our stockholders received \$892 million in dividends.

And just yesterday, the board declared a first-quarter dividend payment totaling \$316 million.

Our suppliers, who traditionally account for 50 percent of our sales dollar, received about \$37 billion in 1983.

Our GM dealers shared in our success through the increased business created for them.

In 1983, we supplied these dealers with 7.8 million cars and trucks worldwide to sell and service.

Through our 1983 tax payments of all kinds, state, local, federal, and foreign governments received about \$5.8 billion.

Uncle Sam's share of this was more than half.

Our GM management also benefited.

For the first time in four years, we earned funds for the GM Bonus Plan—some \$180 million.

And our 700,000 employees worldwide received \$19.3 billion in salaries and wages—and about \$5.5 billion in health care, pensions, and other benefits.

Finally—one of the things we are most proud of this year—GM will be sharing profits with its hourly and non-executive salaried employees under a new program.

An unprecedented \$322 million—nearly a third of a billion dollars—will be shared with 531,000 eligible U.S. hourly and salaried employees.

No other company anywhere in the world, at any time in history, has ever distributed such a large amount of profits to its employees.

The \$322 million we will pay out in profit sharing is more than the total earnings of all but the top 45 companies on Fortune's list of the 500 largest U.S. corporations.

Our profit-sharing checks will be distributed to our employees in early March.

For the eligible employee who worked a normal schedule all year, a share in GM's 1983 profits will mean about \$640.

Those hourly employees with average overtime last year will be receiving \$700—and

those with heavy overtime, considerably more.

In cities with a large concentration of GM people, the impact of our profit-sharing plan on the local economies will be substantial and immediate.

In the Greater Detroit area, for example, about 137,000 eligible employees will share approximately \$67 million.

Much of the income that's distributed will give these local economies a measurable and much needed boost as it multiplies through the system.

But much will also be saved, and that will help these economies, too, since it will add to the funds available for local borrowing and investment.

In fact, one of the best features of the GM Profit Sharing Plan is the opportunity it gives employees to save.

Employees can invest their profit-sharing dollars in a tax-deferred savings plan—the biggest plan of its kind in the industry.

Under the plan, they can invest in GM common stock, in a guaranteed income fund, or a combination of the two.

This new plan will be in addition to the Employee Stock Ownership Plan, which also serves as a vehicle for employees to acquire GM common stock.

So the implementation of the GM Profit Sharing Plan marks a new milestone in employee relations.

The plan makes the corporation and its employees partners in the success of the business.

And—thanks to the opportunity to turn profit-sharing benefits into stock—the plan offers employees a bigger partnership in the business itself.

It represents a further democratization of the workplace, a true sharing of the ownership.

As Bert Metzger, president of the Profit Sharing Research Foundation, has said, through profit sharing "we have an opportunity today . . . to create a society where we do not have concentrated ownership, but diffused ownership among millions of our people."

So, in a very real sense, profit sharing offers our employees a share of the pot of gold at the end of the rainbow and a piece of the future, itself.

And we plan to work closely with Donald Ephlin of the United Auto Workers as we go forward with this.

Now, lest it sound like we invented it, I want to acknowledge that profit sharing has been around for a long time.

In North America, it dates back nearly 200 years to Albert Gallatin, secretary of the Treasury under Presidents Jefferson and Madison.

According to the records, Gallatin instituted the first North American profit sharing plan in 1797 at his glass works in New Geneva, Pennsylvania.

Today, there are an estimated 19 million U.S. employees covered by profit sharing plans in approximately 450,000 American companies.

While many companies with unions share profits, most very large unionized companies do not.

So the entry of GM into the field is significant—not only because the size of our initial payout is unprecedented, but also because we're one of the largest unionized companies around.

But over and above our own experience, I'd like to tell you why I think profit sharing is an idea that's right for the auto industry and right for America—especially now.

In my view, profit sharing is an idea whose time has come.

Perhaps the best reason is that we've been changing the way we run our companies in America.

To make the most of all our employees' capabilities, more and more companies have changed to a participative style of management. We've set aside the old authoritarian style of leadership and gone to a teamwork approach.

This was certainly one of the main goals behind our recent organization changes at General Motors.

It is our firm belief that, as more employees share in the burdens of decision making, so should they share in the rewards when those decisions pay off.

Our free enterprise system has always been based on the idea of entrepreneurship—what I like to call responsibility, risk, and reward.

But over the years, as we moved away from family-owned farms and small partnerships in America, the direct relationship between responsibility, risk, and reward became clouded.

The idea of personal involvement in the fortunes of the enterprise began to be lost.

Today, the vast majority of Americans are not engaged in partnerships or small family farms.

They are wage-earners—often in very large corporations.

As such, they're not directly rewarded by profits, and therefore not particularly motivated by profits.

In fact, some of them even see profit as a negative—as someone else's income, as something which reduces their own share of the pie!

But profit sharing puts entrepreneurship back in the free enterprise system.

It restores to every employee a stake in the business—literally makes him or her an entrepreneur.

It offers a tangible and substantial reward for a job well done and an incentive for even closer cooperation in the years ahead.

Most importantly, it counteracts an attitude of indifference we often find—like the sailor who was resting in his bunk when one of his buddies ran into the compartment shouting, "Hey, Mac, hurry up, get going—the ship is sinking!"

Mac continue to lie in his bunk and calmly said, "So what? What do I care? It ain't my ship!"

More and more today we're learning that the ship belongs to us all.

Profit sharing makes that relationship clear.

It strengthens the commonality of interests among all the stakeholders in a business, be they managers, employees, or stockholders.

It moves them toward a common goal, and encourages the participation of all.

Best of all, the record shows that the whole thing works.

Employees in profit sharing businesses do tend to be more productive.

They help create a bigger pie—so they can get a bigger slice.

As a result, the businesses themselves typically perform better and have more to share with their stakeholders.

Now this is the right time for the idea of profit sharing, because American business is locked in the fight of its life.

We're involved in a tough race against international competition, and we need all the help we can get.

From a financial standpoint, the beauty of profit sharing is that it makes compensation

sensitive to the ups and downs of the business cycle.

With lower fixed costs, companies can offer employees a bigger share of the rewards when times are good—and more job security when times are bad.

Most important, profit sharing tends to be non-inflationary.

Profits are shared because there are improved efficiencies.

Thus, the labor cost per unit does not go up.

But the purchasing power of the workers does—importantly.

And the incentive for further improved efficiencies increases sharply.

Profit sharing is by no means a panacea.

But it is a very important tool—along with good management, advanced technology, and all the rest—in the effort to make America more competitive.

We at General Motors are very pleased that we now have full use of this new tool in our operations.

We believe it will help us sustain and improve our performance over the long term.

And we believe it has the potential to help our country deal with some of its tough economic problems as well.

Now, I've said on several occasions that we've made progress in re-establishing the competitive edge in the auto industry.

That progress is real—but it could be overshadowed if the economy falters.

The scale of the federal deficits built in under existing legislation is risky.

Clearly these deficits must be reduced.

The earlier they are reduced, the better it will be for the sustainability of the economic recovery and the auto business.

So it's important to begin to work on a down payment toward resolving this problem.

The government has to act, but so does the private sector.

To reduce the deficit, the government must reduce public spending more than it has—that is a certainty.

But our greatest hope in achieving a balanced budget over the coming years is a strong and growing economy.

Any fiscal or monetary policy that would slow that growth appreciably—or even throw it into reverse—would be counterproductive.

Budget deficits would grow worse.

And that is where this great nation's private sector comes in.

Private sector initiatives alone cannot reduce the deficit.

But they can surely help.

Our government can create a healthy climate in which the economy can gain strength and grow—but it can contribute little of itself to the growth.

Only we in private business and private industry can make our economy grow and keep it growing—through our initiative, our innovation, our productivity.

That is why I consider the success of our employee profit sharing plan at GM so important—because it stands as an example of what a group of private citizens, engaged in private enterprise, can accomplish together when they know that their combined efforts to increase productivity will be rewarded with a just and equitable share of the profits.

Whatever progress is achieved through private initiatives of this kind and of many other shapes and sizes will have two rather significant benefits:

First, it will reduce the calls on the public purse for further government-funded programs.

Second, it will create a climate of growth and prosperity, in which the hard political and economic decisions about budget deficits will be easier to make.

Yet Washington should not assume the hard decisions will be washed away by prosperity.

Instead, policymakers here should have faith that if they make some of the tough choices, growth and prosperity will make those choices easier to live with.

GM's announcement today that we're sharing our profits in unprecedented amounts with our employee is further proof that our system of private- and public-sector cooperation is a very good one.

It's a system that works and responds to change.

Today, General Motors and its employees become partners in success.

Over the years, as more employees use profit sharing to buy and own GM stock, there will be a further democratization of the workplace and a beneficial effect on the direction of our corporation.

It is our hope that as other companies adopt profit sharing and build a flexible component into employees' total compensation, our country will become increasingly competitive.

Unless we move toward such arrangements, we will continue to be forced to meet the economic ups and downs with changes in employment and plant utilization that undermine our ability to advance the competitiveness of American industry.

Only by advancing can we sustain our vitality, our employment levels, and the ability of American industry to close the competitive gap with other nations and to share the life-enriching fruits of prosperity with the American people.

Thank you very much.●

CHILD CARE PROGRAMS NEEDED

HON. SALA BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mrs. BURTON of California. Mr. Speaker, over the past several decades, American women have been entering the labor force in record numbers. An increasing percentage of women entering the labor market are working mothers. In 1980, nearly 65 percent of mothers with school-age children were employed.

Unfortunately, in the United States, the number of child-care alternatives available to working mothers has not kept pace with the changing work patterns of American women. In most other industrialized nations, the contribution made by women to the economy is recognized through the provision of available and affordable child care programs. We must move quickly to fill this gap.

Along with my colleagues, PATRICIA SCHROEDER and GERALDINE FERRARO, I have introduced legislation, H.R. 4193, the School Facilities Child Care Act, to establish a child care program for

children who have become known as "latchkey children." It is an inventive, cost-effective proposal which will encourage the Government, local communities and parents to cooperate in the creation of a new child care initiative. I urge my colleagues to examine this proposal and to join the 63 other Members who have cosponsored the School Facilities Child Care Act.

I highly recommend the following article which outlines the difficult dilemma faced by working mothers and forcefully illustrates the dismal state of our Nation's child care system.

WE LIBERATED MOTHERS AREN'T

(By Ann Crittenden)

The women's revolution in the United States is only half won. The first shoe has been dropped; more women than ever before are working outside the home and breaking into the previously closed ranks of well-paid professionals. But the other shoe—the freeing of women from the burdens associated with responsibility for raising the next generation—has yet to fall. This unfinished business is a serious obstacle in their paths as they try to take advantage of their new opportunities.

The great paradox in this country is that while more mothers are entering the job market, almost no cultural or institutional changes in the way children are supposed to be reared have occurred. Women are taking on new jobs and getting little relief from their old ones. Sooner or later almost every working mother has to face the hard truth—that she is either raising her children in her spare time or short-circuiting her career, often by opting out for several years or by settling for a less demanding job. This dilemma helps explain the wage gap between working men and women, which has been growing rather than shrinking in the United States in the past 10 years despite all of women's so-called gains.

Looked at this way, it is not surprising that few women or men are happy with the current situation, and that the cries of confusion, resentment and backlash are getting louder. But the women's revolution wasn't naive, as some now seem to be suggesting; it was just incomplete.

It doesn't have to be like this. The problem is not the result of some inevitable, unsolvable conflict between work and family. It is a result of the fact that the United States does less than virtually any other country in the industrialized world to make life easier for working parents. We have less maternity leave, less job flexibility, less day care. And thanks largely to such policies, women in many comparable countries earn more, proportionately, than women in the United States.

In 1980, the median earnings of full-time female workers in the United States were 59 percent of the male wage, down from 64 percent in 1955, according to a study by Columbia University sociologist Sheila B. Kamerman. In contrast, Swedish women earned more than 90 percent of average male earnings, up from 73 percent in 1970. In Britain, women's wages as a percent of men's increased from 63 percent in 1970 to 73 percent in 1979 and in Italy, women's wages in manufacturing have risen from 70 percent of male earnings in 1960 to 84 percent in 1980. The gap in the United States is not only greater, it is widening, unlike the trend in every other industrialized nation. Women's rhetoric may be louder in this

country, but European women go home with more equal paychecks.

This is not to argue that different social policies would solve all of women's problems; women in France, Britain and Italy still suffer from second-class status. And greater social support for working parents would still not solve the deeper problem of how anyone with family responsibilities can compete on the highest levels of our institutions, where workaholics with virtually no private lives often set the pace.

But there is no doubt that a set of practical and even inexpensive reforms could eliminate much of the conflict that women now feel between careers and child-rearing. Babies and work can be combined for 90 percent or more jobs, and once they are, women will be in a better position to confront the more intractable problems, such as the driven climate at the top of most institutions or the reluctance of most men to assume a fair share of household responsibilities.

The dream that men were going to share in the cooking, cleaning and diapering as their mates began to share the commute was only one of the feminist hopes of a decade ago that have not exactly come to pass. A brief look at the women's agenda of the late 1960s and early 1970s illustrates, in fact, how few of the changes that were going to liberate women from the choice between child-rearing and economic freedom have been made.

Long maternity leaves were going to become routine. Companies were going to set up on-site day-care centers, so mothers could count on well-monitored child-care arrangements while they worked. Unions were going to push for flexible working hours, more part-time jobs and job sharing, so that women with small children could continue their careers. Federal day care was being debated in Congress, and a bill financing centers around the country was close to passage.

Schools would introduce before- and after-school programs to accommodate working parents.

It was always assumed that as women began to move into the workforce and up in their careers, society would have to adjust its child-care arrangements. After all, in the old days everyone helped care for the kids, and the spirit of the late 1960s and early 1970s argued that we'd all be better off if we moved back to that vision of extended parenting again.

So what happened? Almost nothing. Despite the fact that the great majority of women of childbearing age are working (including almost half of women with children under 6 years of age), almost 60 percent of working women will have no paid maternity leave of more than a few days. According to studies by Columbia's Kamerman, only about 40 percent of American female workers have the equivalent of the six-week paid disability leave usually considered desirable by doctors, and standard in other countries. The percentage is so low because disability insurance covering childbirth—providing for paid leave to remain at home with an infant—is required in only five states. And most of the women who opt for and are permitted to take an unpaid leave of absence for childbirth do not have a clear-cut right to return to their job.

Day care remains a seemingly Utopian goal. Twelve years ago, a comprehensive day-care bill was passed by Congress, authorizing roughly \$2 billion in federal payments to states and cities for the establish-

ment of day-care facilities. But the bill was vetoed by President Nixon, not for budgetary considerations but political ones. Day care was anathema to the right wing of the Republican Party, which was challenging Nixon in 1972. Columnist James J. Kilpatrick had called the bill the "boldest . . . scheme ever advanced for the Sovietization of American youth." In his veto message, Nixon tried to disarm such critics by condemning the "communal approach to child rearing over and against the family-centered approach." It was "one of the most controversial veto messages of the Nixon presidency," according to Gilbert Steiner of the Brookings Institution.

When the bill was reintroduced the following year, a virulent mail campaign frightened all but a handful of congressmen away, and the legislation has never gotten anywhere since. As a result, public day care is almost nonexistent in this country. By one count, there are currently less than half a million publicly supported day-care places available in the entire United States—not enough to serve the needs of New York City alone.

The federal government has not even established minimum national standards for private day-care facilities as it does for hospitals and nursing homes. And only a tiny number of companies have set up day-care centers in the workplace.

Finding adequate child-care arrangements has become an expensive, exhausting scramble for working parents, many of whom settle for less than satisfactory "parking places" for their children during the day. Columbia sociologist Kamerman has found that most families have to rely on a jerry-built system of two to three different child-care arrangements a day for each pre-school child. It should hardly be surprising that many mothers decide that the struggle isn't worth it and drop out of the job market. I know experienced corporate lawyers, economists, journalists, administrators, and lobbyists who have made that decision.

For those women, and millions more, the answer could be more part-time jobs and flexible working schedules, but these too now seem more remote than ever. With hordes of recent college graduates desperate for work on any terms, and economic uncertainty breeding a new conservatism among those who do have jobs, companies have little incentive to make life easier for women.

Both men and women feel the lack of support for working parents, as the accounts of numerous divorced and separated fathers testify. A recent survey of single working fathers by Geoffrey L. Greif, an instructor of social work at Sidor University in Philadelphia, revealed that more than three-fourths of them reported problems in juggling their time between jobs and children. Many admitted that they were spending fewer hours in the office as a result.

But there is no question that the burden still falls heaviest on women. According to Joseph H. Pleck, director of the Wellesley College Center for Research of Women, "there is good evidence that men's time spent on housework and child care is increasing, probably particularly in families with young children." One study conducted by Thomas Juster of the Institute for Social Research at the University of Michigan found that men age 25 to 44 spend an average of 14.1 hours per week on housework and child care in 1981 up from 11.8 hours in 1965. Yet women of the same age, most of whom are now working outside the home,

spent 31.8 hours on the job at home, down from 45.9 hours in 1965.

"Working wives do less housework than homemakers, but they still do the vast bulk of what needs to be done," concludes a new book called "American Couples," by sociologists Philip Blumstein and Pepper Schwartz. "Husbands of woman who work help out more than husbands of homemakers, but their contribution is not impressive. Even if a husband is unemployed, he does much less housework than a wife who puts in a 40-hour week."

Years ago, before women began to enter the job market in large numbers, feminists often pointed out that in Russia, women had achieved more professional status than in the United States. Some men liked to counter that this could not be considered liberation, since Russian women still had to perform the traditional chores. It seems that at least American women have arrived at the same level of liberation as their Russian sisters.

Some have taken the current "who's minding the children" dilemma as a pretext for a 1950s style attack on the very notion of working mothers. A few months ago, the editor of a well-known liberal magazine confided to this reporter, who had just told him that she planned not to work full-time during her baby's first two years, that "our position is that mothers should stay at home."

Rather than retreat to the attitudes of 30 years ago, however, American women need to recognize that they can have, if not all of it, at least most of it. Rather than give up one or the other of their dual roles, working mothers need to demand some help with them, along the lines of the European system.

Almost every other industrialized country has developed "a plethora of public and private support systems which are designed to ease the growing tension between work and family life," according to Sylvia Hewlett of the United Nations Association who is writing a book on the subject. Fully 75 countries have statutory provisions that guarantee a woman the right to leave employment for childbirth, protect her job while she is on leave and provide a cash benefit which is, on average, equal to five months' full pay. In Sweden, either parent can opt to take a nine months' leave upon the birth of a child, at 90 percent of salary, and be assured of claiming the same or a similar job on their return.

Even Britain, in the midst of its worst economic period since the Great Depression, has improved its child-care benefits recently. By law, employees have to be granted a minimum of six weeks of maternity leave at 90 percent of earnings.

Comprehensive day-care systems have been part of the European scene for years, even in such "pro-family" Catholic countries as France and Italy. A major reason is that these nations suffered a severe labor shortage after World War II and, as in the United States during World War II, policies were put in place to make it easier for women to join the labor force. Also, many European countries have decided that it should be national policy to encourage more births at a time when their populations have leveled off.

The East European countries provide government day care from infancy and in Western Europe many of the same benefits prevail. In several countries, the majority of 3- to 6-year-olds are in free public pre-school programs that last the working day. In

France, 95 percent of this age group and 32 percent of 2-year-olds are in free public programs. Three-fourths of West German and 70 percent of Italian 3- to 6-year-olds are in similar schools. Many European countries routinely allow parents leave from work to care for sick children. And in Sweden, parents are entitled by law to work a six-hour day, with pay adjusted accordingly, until their child is 8 years old.

European schools have also adapted to the needs of working parents in ways that American institutions have not. American schools still function on a day that lets out in the early or mid-afternoon—a schedule better suited to the days when the United States was an agricultural society and children were needed to help with farm chores. In France, most public elementary schools provide free supplementary programs both before and after regular school hours and during vacations.

In "High School," the Carnegie Foundation for the Advancement of Teaching's recent report on American secondary education, Ernest L. Boyer writes that in the Soviet Union, China, East Germany and Japan, the school year averages 240 days and the school day lasts from six to eight hours. The typical school year in the United States is 178 days long, and the average school day is five hours and 35 minutes. Much of the worst scrambling American parents go through is in arranging their children's after-school agendas. But in Europe, school-sponsored athletics, play groups and other programs offer children supervised activities while Mom and Dad are still at work.

It would be naive to argue that if the United States adopted the European model, all the problems of working parents and their children would vanish. As the American workplace is now structured, there is not enough time in the day for one person, or even two high achievers, to properly love and nourish a child and race for the top. In practice, that has meant that mothers have pulled up short of the finish line. A look around most offices, from the corporate suite to the newsroom to the inner sanctums of government, confirm that most of the fast-track women there are either unmarried, childless or women whose children are grown.

There is no ready answer to the ultimate problem of how a woman—or man, for that matter—who wants a family life can compete for a room at the top with the driven. But that problem should not be confused with the practical problems most working parents face. Most careers are not in the fast lane, and they can be combined quite satisfactorily with child rearing if more supportive social policies are adopted.

Nor would these policies bankrupt the nation. Some would cost nothing. Most productivity experts believe that individuals enjoying shorter work weeks or more flexible work schedules often more than make up for their hours away from the job in improved productivity. Cafeteria-style fringe benefit packages, allowing employees to choose those benefits that fit their specific needs, are already in place at such corporations as TRW and American Can, where parents can trade some traditional benefits for the ability to have days off for essential parenting activities. Tax incentives for corporations to underwrite child-care costs could be expanded at minimal cost.

Specialists in the field of early childhood advocate a federally guaranteed right to a six-month unpaid maternity leave, so that a

woman does not have to choose between leaving her job or her newborn. Why not leaves of two or three years with the right to return to a similar job, as an American, family-oriented alternative to public infant day care? And it is hard to argue that disability insurance, covering pregnancy and childbirth, should not be made mandatory in the 45 states without coverage, and extended to public employees.

It is my guess that this or a similar agenda—the great unfinished business of the woman's movement—will become one of the major social and political issues of the 1980s.■

KINGSTON VFW TO HONOR
ADJUTANT WILLIAM J. SMITH

HON. FRANK HARRISON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. HARRISON. Mr. Speaker, on Saturday evening, February 11, Anthracite Post 283 of the Veterans of Foreign Wars of the United States will honor its adjutant of many years, William J. Smith, with a testimonial dinner dance.

Mr. Smith has served as adjutant and public relations officer for the Anthracite Post for nearly 20 years and served as post commander in 1962-63.

Mr. Smith has long been active in the departmental and national organizations of the VFW. He has served as national aide-de-camp, special aide-de-camp to the commander in chief and as a member of the National Public Relations and Broadcasters Committee. On the departmental level, he is presently serving on the Scotland School Committee, Life Membership Committee and the Americanism Committee.

All of us know, Mr. Speaker, the outstanding work that the Veterans of Foreign Wars has done over the years in promoting patriotism, in creating numerous educational programs for the young such as its outstanding Voice of Democracy competition and, generally, in reminding us that in Webster's words "eternal vigilance is the price of liberty." We all know, as well, that a national organization is only as strong as the individuals who make up its posts. And its posts and their committees are only as strong as those few outstanding men who are willing to assume the hard work—not only the glamorous major assignments but the hard, seemingly endless day to day chores. Without such men no great organization could exist.

One such man is my friend and colleague in veteran's affairs, Bill Smith. It will be my honor, Mr. Speaker, to join his family, comrades, friends, and neighbors in paying tribute to him this Saturday evening and it is a pleasure as well to bring his outstanding efforts to the attention of my friends and colleagues here in the House.■

AMERICAN INDUSTRIAL COMPETITIVENESS

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. GOODLING. Mr. Speaker, I wish to address an issue of vital concern to our national priorities in 1984: The question of American industrial competitiveness. The challenge of greater productivity growth is of supreme importance to America's future. Americans have witnessed declines in U.S. industrial strength and must come face to face with the hard reality that something must be done about managerial techniques if our Nation is to remain a world economic leader.

From 1948 to 1968, productivity in the private economy had risen at an average rate of about 3 percent a year, providing the American people with one of the highest standards of living in the world. But after 1968, that rate began dropping. By 1979 and 1980, it had actually turned negative as inflation and interest rates soared.

From this, there is no single, all-encompassing solution for increased productivity. Japan, however, may be used as a model for American corporations to begin this task. Increasingly, since World War II, Japanese products have experienced phenomenal success in international markets. Japan's ability to supply high quality, low priced goods is founded upon the special characteristics of the Japanese people, coupled with unique Japanese management techniques. The practice of making decisions by consensus and a strong group orientation have contributed to the success of Japanese management techniques. Consequently, the combination of Japanese culture and the system of management that has been so instrumental in inducing workers to be loyal, hardworking, and proud of the quality of work life, has resulted in highly productive and competitive industries.

American corporations should follow the Japanese example and try to dissolve the traditional acrimony between labor and management. They must look at the rewards in efficiency and productivity of the cooperative relations between workers and managers in Japan. This amounts to a redefinition of self-interest by both labor and management, the belief that each side must be more flexible in dealing with the other to meet the challenge of foreign competition. This participative characteristic of management is fairly new in the United States but has a long history in Japan.

We must bring back the competitive spirit which led America to its position of leadership and which, significantly, now so dominates and propels the Japanese economy. With these thoughts

in mind, I would like to insert in today's RECORD, a copy of an article from People magazine.

The article follows:

HOW HAS JAPAN OVERTAKEN AMERICA? THE
FAULT, SAYS ONE EXPERT, LIES NOT IN OUR
CARS, BUT IN OURSELVES

Its 119 million people are squeezed precariously onto four Pacific islands virtually devoid of natural resources. Much of its industrial base was reduced to rubble by the end of World War II. Yet in less than 40 years Japan has become the world's second greatest economic power, rivaling the United States in steel, producing an ever-increasing variety of high-quality consumer goods and even surpassing the U.S. in electronics and in auto production. In the economically troubled U.S. and Europe, angry calls for protectionist strictures have been accompanied by a sense of awe at Japan's efficiency. Still, the question remains: How much of its success is based on ingenious managerial techniques and how much on the unique Japanese character?

This question and others are addressed by Robert C. Christopher in his book *The Japanese Mind: The Goliath Explained* (Linden Press/Simon & Schuster, \$16.95). A former editor at TIME and Newsweek, Christopher, 59, has been fascinated by Japan since his arrival there as a Japanese-language officer in the U.S. Occupation forces in September 1945. "I returned there for a second tour of Army duty in the Korean War and from the mid-1960s on have visited the country almost annually," says Christopher. Now living in Old Lyme, Conn., he is the administrator of the annual Pulitzer Prizes. With Assistant Editor Joshua Hammer, he discussed what can be borrowed from Japan—and what can't be.

Is the Japanese mind really much different from the American mind?

Absolutely. The Japanese are profoundly group-oriented. They have a far greater sense of loyalty to the institutions they serve than Americans do. In Japan, people join a company and stay all their working lives. They feel, and are made to feel, that the company's success rests squarely on their efforts. Furthermore, the notion that you can achieve success outside the group context is utterly alien to them. A middle manager for a very important corporation has far more prestige than a guy who started and runs his own small or medium-sized business, even though the latter may be wealthier and more powerful. To be different is dangerous and regarded with great disfavor.

What accounts for this group mentality?

Historically, you had a large group of people occupying a number of small islands with very limited natural resources. People were forced to band together in support groups to make sure everything was equitably distributed. The Japanese never had the opportunity to assert their individuality because the possibility just wasn't there, economically or physically.

So a shared sense of vulnerability is a key factor in the Japanese success?

Yes. Japanese labor doesn't need to be persuaded that its interests and those of the corporation are inextricably bound up with each other. If a union has to choose between wage increases and a health cash flow for the company, it will opt for the cash flow. The success of the company is seen as the key to survival.

How does management cultivate that sense of individual loyalty?

Japan's big modern companies instinctively regard themselves as being responsible for the economic and psychic well-being of their workers. They do such things as furnish housing for single employees, help married employees acquire housing, sell land to them below market prices, provide low-interest loans, educational benefits for employees' children, and all sorts of medical and recreational facilities, and sponsor group outings. In general, they play a much more active role in the whole life of the employee than American firms do.

How does management structure differ from that of U.S. corporations?

Radically. In almost all Japanese companies, no executive decision is arrived at until everyone down to middle-management level and below has been given a chance to pass on it. I had a friend who for years was the top man at a Japanese shipping line. Whenever he had an idea he wanted to effect, one of his practices was to drop down to the company cafeteria at lunchtime and float the idea very tentatively in front of people four, five or six rungs down the ladder. In due course it would come back up the ladder to him and be presented as the judgment of all the people below. And the consensus approach shows itself in union-management relations too. It's quite common for management to meet at regular intervals with union leadership. When the time comes for contract negotiations, union leaders have a very clear idea of what the company's financial resources are.

But does that "team" approach extend all the way down the ladder?

Japanese executives are not nearly as remote from people on the production line as U.S. executives are. Most of them will tell you they started out on the production line themselves—if only for a token three or four months. If a chief executive doesn't have a lunch date, it's typical for him to go to the cafeteria to see how his workers are doing. In the U.S., that would sound like a publicity gimmick. I've met many Japanese executives who have spent time in this country express astonishment at what they regard as the arrogance of the American executive.

How have the Japanese managed to surpass the U.S. in research and development?

I think the key is the difference in the nature of ownership in Japan and the U.S. A great many Japanese companies belong to loose confederations, such as *Mitsui* or *Mitsubishi*. They are controlled not by outside investors but by other firms within the same group, so their managers are answering not to a bunch of people interested solely in seeing stock prices go up but to people who want to see these companies survive long-term. They're much readier to make investments that won't pay off for years. The *Nippon Electric Company*, for instance, made heavy investments in the semiconductor business, but it was 13 years before they made a profit from it. No publicly owned American company would carry such a major investment for so long with no return. Any guy who tried would get his head handed to him.

Yet U.S. corporations have had the capital for such reinvestment. What have they done with it?

Some of it went for inflated wages, which I believe were not justified by any increase in productivity. A lot of it went into "agglomeration." The steel industry took capital and bought shopping centers and oil companies instead of modernizing its steel-production facilities. Then take a look at

the semiconductor business. The U.S.'s initial impulse was to get cheap Third World labor to build the semiconductor chips. The Japanese made machines to produce them. That involved a costly investment initially, but those machines are far less fallible than humans. The Japanese just swept the market because of the reliability of their semiconductors.

Has American workmanship also suffered?

Partly as a result of the changing social climate, including a far greater emphasis on immediate self-gratification, the pride Americans took in their work diminished. Workers got sloppy and careless. Again, though, it comes back to management. American managers tend to treat workers as interchangeable parts. Astonishingly, a Yankelovich poll showed that American workers privately subscribe to the work ethic more strongly than the Japanese. But they don't feel they get a chance to practice it because they're not motivated by American managers.

Why not?

Lots of reasons. But the primary one is the remoteness of managers from workers. Managers increasing tend to be MBAs with no real experience making anything. They think marketing is a substitute for production. You get all these youngsters out of business school stepping into highly paid, responsible jobs. They get a sense of being in a special class, whereas in Japan the management class traditionally comes up through the ranks. Also, the starting wage for a college graduate in Japan is not much higher than for a high school grad. So you don't create those instant class distinctions.

So what can we learn from the Japanese?

There are a lot of techniques that can be adopted profitably. We could easily make constant minor improvements in our manufacturing plants. Theoretically, we should be able to make heavier investments in technology, too, though there are limitations on that because of the nature of stockholder ownership in the U.S. and the need for getting money back quickly. That's hard to change without strong management. Unfortunately, there are a number of psychological techniques we cannot adopt. As a Japanese friend once said, "There's no way you're going to get individualistic Americans to behave like group-oriented Japanese."

What about projects like the Nissan plant in Smyrna, Tenn., where American workers are being exposed to Japanese management techniques?

Until now, virtually all Japanese companies that have come to the U.S. have operated on a relatively small scale—1,000 employees or fewer. They have located themselves in Middle American communities like Smyrna, where the traditional work ethic is still very strong. I question very much, as do many Japanese, whether the whole complex of Japanese management techniques can be applied in a big American plant whose workers are heavily unionized.

For example, when Chrysler was at its nadir, it offered its workers, instead of a wage increase, a profit-sharing deal, which as it turned out would have been a lot better for them. But the minute Chrysler showed a profit, the workers repudiated the plan and were right back pounding on the door demanding parity in wages with Ford and GM. Whether Chrysler can afford that is very doubtful.

Is there any way to get American labor and management working together?

The single most important thing is for American managers to become more re-

spectful of workers. They have to instill a sense that we're all in this together. The Yankelovich poll showed that the Japanese workers were far more convinced that the fruits of any gain in productivity would go largely to them. American workers think the fruits are going to the executives and stockholders. If that is going to change, American managers must demonstrate genuine concern, not psychological sleight of hand.

LEAKING UNDERGROUND STORAGE LEGISLATION

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1984

● Mr. RITTER. Mr. Speaker, it smells like gasoline. It tastes like gasoline. It is gasoline. More and more gasoline, or similar liquids, are being found in the tapwater of American households. Ground water provides drinking water to half the American people. We all know how essential it is, yet all of us are familiar with individuals in our districts whose wells have been contaminated by gasoline.

The problem will get worse before it gets better as more and more old, buried tanks rust through and leak their contents into the ground water. What is the scope of the problem? It is estimated that 1.4 million underground tanks in the United States store gasoline. An unknown additional number of tanks store a variety of other petroleum products and other liquid hydrocarbons. Of 1.4 million underground tanks storing gasoline, approximately 85 percent are made of steel with no corrosion protection and were buried over 20 years ago. Some experts estimate that 75,000 to 100,000 of these underground gasoline tanks may currently be leaking their contents into the ground and ground water supplies, and perhaps 350,000 tanks may be leaking within the next 5 years. This is a problem of national significance.

The solution to this problem or even the beginning of a solution is not cheap. But, the earlier we start the identification and cleanup process, the cheaper it will be. The longer we wait to start, the more tanks will rust through, and the more expensive cleanup will be. Waiting is the most expensive path. Millions of people could be affected.

I have just introduced H.R. 4761, which provides for relief, cleanup, and for preventative standards to be set by EPA for existing and future buried tanks.

My bill will tackle this problem in two different ways. First, it amends the Comprehensive Environmental Response, Compensation, and Liability Act of 1980—Superfund—to give the EPA the authority to clean up gaso-

line leaks which have occurred from underground storage tanks and makes fund moneys available for these clean-up or other assistance activities.

The authority available to EPA includes the ability to take actions that are necessary to prevent, minimize, or mitigate damage to the public health or welfare or to the environment, such as provision of alternate water supplies, temporary evacuation and housing of threatened individuals. In those situations, EPA would be authorized under Superfund to spend up to \$1 million for each leaking storage tank. Long-term remedies such as ground water cleanup also will be available.

The money for these cleanup activities will come from the Superfund trust fund, a \$1.6 billion fund assessed through a tax on oil and chemical feedstocks. And in these cases where a responsible party can be identified, my bill gives the EPA the authority to recover cleanup costs from them. Superfund liability provisions would be available for the Agency to use against all responsible parties who have caused or contributed to these leaks.

It is my intention that the Agency use these liability provisions in an evenhanded way so that responsible parties pay their fair share for damages that has occurred.

The second approach my bill takes toward solving this problem is to require the EPA to establish general standards applicable to new and existing underground storage tanks used for commercial or governmental purposes. These standards may include a wide variety of factors addressing the location, design, construction, operation, and maintenance of the tanks as well as monitoring, testing, financial responsibility, inspection, and corrective action for such tanks. In addition, I have directed the EPA to evaluate residential tanks as well. That study is to be completed within 1 year of the date of enactment of my bill.

Another important feature of my bill is that individual permits would not necessarily be required for each tank. Rather, the EPA Administrator is given the discretion to set up a permit program where he decides one is necessary. An example of this would be where specific factors—for example soil conditions, type of tank, years in ground, moisture, and other environmental factors—should be taken into account. Otherwise the Administrator can implement the standards set forth as a result of this bill directly.

Since I believe it is important that the States be involved to the maximum extent possible in handling the regulation of these underground tanks, my bill gives EPA the authority to approve State programs to operate in lieu of the Federal program. I hope that the States will take advantage of the opportunity to establish their own programs.

The bill has several self-enforcing features which will work to help correct the situation. In addition to direct regulatory features they are: first, financial responsibility or an insurance requirement on buried gasoline or liquid hydrocarbon tanks; second, the ability of suppliers of gasoline to deny product to owner unless there is compliance with standards set by EPA as a result of this bill. There are simply too many buried tanks out there to include all of them in the Federal Agency permitting process. Some individual tanks may already be safe.

Finally, this bill provides a \$60 million authorization for 3 years—1985–87—to be utilized by the State and Federal Governments in carrying out the requirements of the bill. This is a generous authorization, which should provide more than adequate funds for doing the tasks required by the bill. Lack of prompt action at this time will only further compound the problem and make eventual cleanup vastly more difficult and expensive.

In conclusion, I would like to underscore the importance of addressing this emerging national environmental problem. As part of my initiative to help solve this problem, I will be working closely with State and local officials to insure coordination with the Federal officials.

I am introducing this bill today because I believe it takes a strong, comprehensive approach to resolving this crisis. It provides for both cleanup authority for environmental contamination that has occurred; it addresses the problem of existing inground tanks; and it insures that future problems do not occur by requiring that new underground storage tanks be safe.

I believe this legislation provides a framework for a successful resolution of an urgent national problem, and I intend to press forward for its prompt enactment.

Text of the bill follows:

H.R. 4761

A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (Superfund) to provide for removal, remedial action, and liability with respect to gasoline and other liquid hydrocarbons which leak from certain underground storage tanks and to establish standards to prevent releases from such tanks into the environment, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Leaking Underground Storage Tank Liability and Standards Act of 1984".

AMENDMENT OF CERCLA

SEC. 2. (a) DEFINITION OF UNDERGROUND STORAGE TANK.—Section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 is amended by striking out "and" and the end of para-

graph (31), by striking out the period at the end of paragraph (32) and substituting "; and" and by adding the following new paragraph at the end thereof:

"(33) 'underground storage tank' means a tank which is located partially or wholly underground."

(b) DEFINITION OF HAZARDOUS SUBSTANCE.—Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 is amended by—

(1) striking out "and (F)" and substituting ", (F)",

(2) striking out "Control Act." and substituting "Control Act, and (G) gasoline and other liquid hydrocarbons which are stored in an underground storage tank from which there is a release or threatened release."; and

(3) by striking out "The term does not include petroleum" and substituting "Except as provided in subparagraph (G), the term does not include".

STANDARDS FOR UNDERGROUND STORAGE TANKS USED FOR STORAGE OF HAZARDOUS SUBSTANCES, INCLUDING GASOLINE OR OTHER LIQUID HYDROCARBONS

SEC. 3. (a) STANDARDS.—Not later than 12 months after the enactment of this Act, the Administrator of the Environmental Protection Agency (hereinafter in this section referred to as the "Administrator") shall promulgate regulations establishing performance standards, applicable to owners and operators of underground storage tanks used for the storage of hazardous substances, including gasoline or other liquid hydrocarbons, in order to prevent releases into the environment for the operational life of the tank. Such regulations shall apply only to underground storage tanks which are located on property used primarily for commercial or governmental purposes. The Administrator shall, where appropriate, distinguish in such standards between requirements appropriate for new tanks and for tanks in existence on the date of promulgation of the standards. Such standards shall include, but shall not be limited to, requirements respecting—

(1) the location, design, and construction of such tanks;

(2) contingency plans for effective action to minimize releases of hazardous substances, including gasoline or other liquid hydrocarbons, from such tanks;

(3) the maintenance and operation of such tanks;

(4) financial responsibility;

(5) monitoring or testing of such tanks and the surrounding environment;

(6) corrective action in the event of a release of any hazardous substance, including gasoline or other liquid hydrocarbons, from such a tank;

(7) recordkeeping and reporting; and

(8) closure or removal of the tank at the end of its operational life.

(b) IMPLEMENTATION AND ENFORCEMENT.—

The Administrator may promulgate, and make effective in accordance with section 3010 of the Solid Waste Disposal Act, regulations to implement the standards of subsection (a) or the Administrator may establish a permit program to implement such standards where he finds that such a permit program is necessary for such purposes. If the Administrator makes such a determination, any person or category of persons who stores any hazardous substance, including gasoline or any other liquid hydrocarbon, in an underground storage tank located on property used primarily for commercial or

governmental purposes may be required to have a permit for such storage in order to assure compliance with such standards.

(c) **APPLICATION OF SOLID WASTE DISPOSAL ACT PROVISIONS.**—The provisions of section 3006 and 3007 of Subtitle C of the Solid Waste Disposal Act, the provisions of subsections (a) through (c) of section 3008 of such subtitle, the provisions of section 3009 of such subtitle, the provisions of section 3010(b) of such subtitle the provisions of section 6001 of such Act, and the provisions of subtitle G of such Act, shall apply to the program and requirements established under this section in the same manner as such provisions apply to the hazardous waste regulatory program established under subtitle C of such Act. For purposes of applying such provisions to the program and requirements established under this Act, the term "hazardous substance, including gasoline or other liquid hydrocarbons" shall be substituted for the term "hazardous waste" when used in such provisions.

(d) **DEFENSE TO OTHER SUPPLY REQUIREMENTS.**—If, upon the request of any person supplying any hazardous substance, including gasoline or other liquid hydrocarbons, to any underground storage tank, the owner or operator of any underground storage tank fails or refuses to provide to such supplier appropriate evidence of compliance with the standards established under this section, such failure or refusal shall constitute a defense to any enforcement action brought

under any other authority of law to require such supplier to deliver any hazardous substance, including gasoline or other liquid hydrocarbons, to such tank. For purposes of this subsection, any permit issued for a tank under this section or any other certification of compliance under this section, as determined by the Administrator, shall constitute appropriate evidence of compliance with such standards.

(e) **CRIMINAL PENALTY.**—Any person who knowingly commits a material violation or omission with respect to any requirement established by the Administrator under this section shall, if such violation or omission results in a release or threatened release of any hazardous substance, including gasoline or other liquid hydrocarbon, from an underground storage tank be subject to a fine of not more than \$50,000 for each day of violation, or to imprisonment for not to exceed two years, or both.

(f) **DEFINITIONS.**—As used in this section—

(1) The term "underground storage tank" means a tank which is located wholly or partially underground.

(2) The term "hazardous substance" has the meaning provided by section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by section 2 of this Act.

(g) **AUTHORIZATION.**—There is authorized to be appropriated not more than \$60,000,000 for the fiscal year period 1985 through 1987 to carry out this section. Not

more than 50 per centum of the amount appropriated in any such fiscal year may be used to make grants to the States for purposes of assisting the States in the development and implementation of programs to carry out this section. Such State programs shall be carried out in the same manner as required with respect to State programs under section 3006 of the Solid Waste Disposal Act, and funds shall be allocated among the States in the same manner as provided in subsection (b) of section 3011 of that Act.

(h) **RESIDENTIAL UNDERGROUND STORAGE TANKS.**—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Environmental Protection Agency shall conduct a study regarding underground storage tanks which are located on residential property and which are used for the storage of hazardous substances (including gasoline or other liquid hydrocarbons). Such study shall include estimates of the number and location of such tanks and an analysis of the extent to which there may be releases or threatened releases from such tanks into the environment. Upon completion of the study, the Administrator shall submit a report to the President and to the Congress containing the results of the study and recommendations respecting whether or not such tanks which are located on residential property should be subject to the preceding provisions of this section.●